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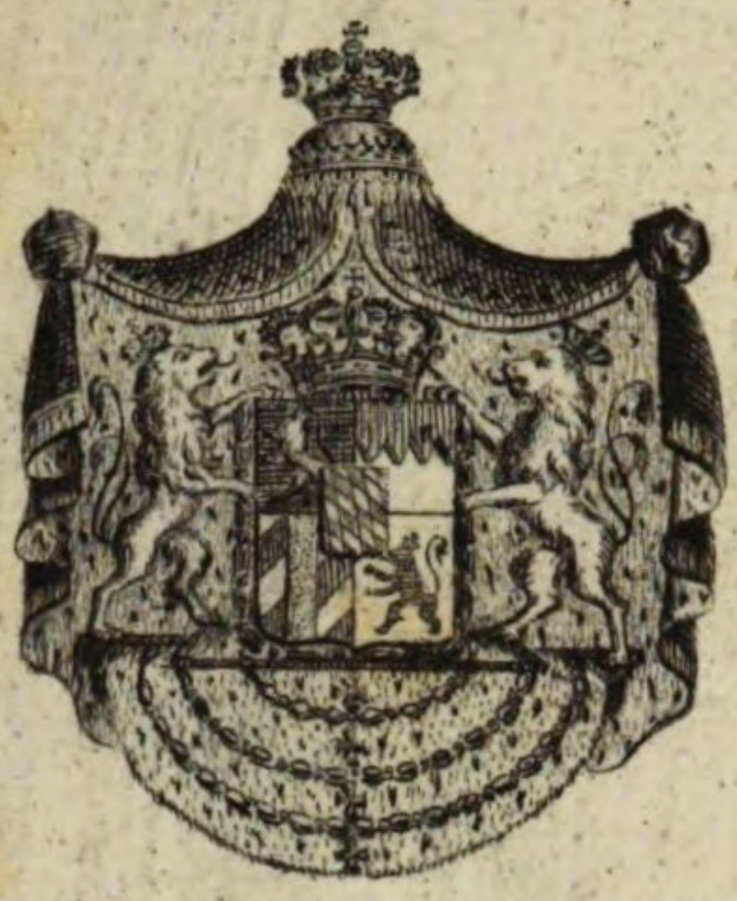

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THE
ANSWER
OF
WARREN HASTINGS Eſquire,
TO THE
ARTICLES
EXHIBITED BY
The KNIGHTS, CITIZENS, *and* BURGESESS
in Parliament aſſembled,

In the Name of themſelves, and of all the COMMONS of GREAT BRITAIN,

In maintenance of their Impeachment againſt him for High Crimes and Miſdemeanours ſuppoſed to have been by him committed.

Delivered at the Bar of the HOUSE of PEERS, on *Wedneſday, November* 28th, 1787.

LONDON:

Printed for JOHN MURRAY, N° 32, Fleet-ſtreet; JOHN STOCKDALE, oppoſite Burlington-houſe, Piccadilly; JOHN SEWELL, Cornhill; W. CREECH, Edinburgh; and ANTHONY GERNA, College-Green, Dublin.

MDCCLXXXVIII.

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THE

ANSWER

OF

WARREN HASTINGS, Esquire,

TO THE

ARTICLES

EXHIBITED BY

The KNIGHTS, CITIZENS, and BURGESSES

in Parliament assembled,

In the Name of themselves, and of all the
COMMONS of GREAT BRITAIN,

In maintenance of their Impeachment against
him for High Crimes and Misdemeanours
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Delivered at the Bar of the House of Lords, on
Wednesday, November 28th, 1787.

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Printed for JOHN MURRAY, N° 32, Fleet-street: JOHN
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THE ANSWER OF WARREN HASTINGS Esquire, TO THE ARTICLES exhibited by the Knights, Citizens, and Burgesses in Parliament assembled, in the Name of themselves, and of all the COMMONS of GREAT BRITAIN, in maintenance of their Impeachment against him for High Crimes and Misdemeanors supposed to have been by him committed.

THE said Warren Hastings saving to himself all Advantages of Exception to the said Articles, for the Generality, Uncertainty, and Insufficiency thereof, and of not being prejudiced by any Words, or Want of Form, in this his Answer; and also as to several of the Matters with which the said Warren

Haſtings is by the ſaid Articles charged, proteſting, that he is not bound to give any Anſwer thereunto, inaſmuch as the ſame do not contain or amount to any Crime or Offence known to the Law of England, admits that the United Company of Merchants of England trading to the Eaſt Indies, have for a long Time paſt carried on an extenſive Trade, obtained great Territorial Poſſeſſions and Revenues, entered into various Alliances and Connections, and waged frequent Wars with the Native Powers in India; and that it became neceſſary that the ſaid United Company ſhould create certain great Offices for the Management of their Affairs, and the various Concerns from them reſulting; and that the Office created and known by the Name of Preſident of the Preſidency of Fort William in Bengal, was an Office of ſuch high Truſt, Power, and Dignity, as is ſtated in the Introduction to the ſaid Articles; and the ſaid Warren Haſtings ſays, that having been employed, during a Period of many Years, in various Departments of the Civil Service of the Eaſt India Company, he was lawfully conſtituted and appointed to ſucceed to the ſaid Office; and that he did ſucceed to the ſame at ſuch Time, and in ſuch Manner, as in the ſaid Introduction is alſo ſtated. And he further ſays, that an Act of Parliament was paſſed in the Thirteenth Year of His preſent Majeſty, with ſuch Title to the ſame as in the ſaid Introduction is mentioned, by which it was enacted, "That for the Go-
" vernment of the Preſidency of Fort William
" in Bengal, there ſhould be appointed a Go-
" vernor General and Four Counſellors; and
" that the whole Civil and Military Govern-

" ment of the ſaid Preſidency, and alſo the Or-
" dering, Management, and Government of all
" the Territorial Acquiſitions and Revenues in
" the Kingdoms of Bengal, Bahar and Oriſſa,
" ſhould, during ſuch Time as the Territorial
" Acquiſitions and Revenues ſhould remain in
" the Poſſeſſion of the United Company, be and
" were thereby veſted in the ſaid Governor Ge-
" neral and Council of the ſaid Preſidency of
" Fort William in Bengal, in like Manner, to
" all Intents and Purpoſes whatſoever, as the
" ſame then were, or at any Time theretofore
" might have been exerciſed by the Preſident
" and Council, or Select Committee in the ſaid
" Kingdoms :" And that it was by the ſaid Act further enacted, " That in all Caſes whatſoever,
" wherein any Difference of Opinion ſhould
" ariſe, upon any Queſtion propoſed in any Con-
" ſultation, the ſaid Governor General and Coun-
" cil ſhould be bound and concluded by the
" Opinion and Deciſion of the major Part of
" thoſe preſent; and if it ſhould happen, that
" by the Death or Removal, or by the Abſence
" of any of the Members of the ſaid Council,
" ſuch Governor General and Council ſhould
" happen to be equally divided, then in every
" ſuch Caſe the ſaid Governor General, or in his
" Abſence the eldeſt Counſellor preſent, ſhould
" have a Caſting Voice, and his Opinion ſhould
" be deciſive and concluſive." And the ſaid Warren Haſtings ſays, that the ſaid Governor General and Council, or the major Part of them, were by the ſaid Act authorized to ſuperintend and control the Government and Management of the Preſidencies of Madras, Bombay, and Bencoolen reſpectively; but that no Power, Au-

 thority,

thority, Dignity, Truſt, or Reſponſibility, were by the ſaid Act ſpecially annexed to the ſaid Office of Governor General, otherwiſe than is herein before mentioned: And the ſaid Warren Haſtings admits, that upon the due and incorrupt Execution of the ſaid Office of Governor General, thus conſtituted, the ſeveral important Intereſts ſtated in the ſaid Introduction did in an eſpecial Manner depend: And the ſaid Warren Haſtings does with Gratitude acknowledge, that he was originally appointed to the ſaid Office of Governor General by the Act of Parliament aforeſaid, for the Term of Five Years; and that he was afterwards, by another Act of Parliament paſſed in the Nineteenth Year of the Reign of His preſent Majeſty, again appointed to the ſame Office for the Term of One Year, from the Fifth Day of April, One thouſand Seven hundred and Seventy-nine; and that by an Act made in the Twentieth Year of the Reign of His preſent Majeſty, he was continued in the ſaid Office for the further Term of One Year; and that in the Year One thouſand Seven hundred and Eighty-one, he was once more, being the Fourth Time, honoured with the ſame Appointment by the ſame Authority for the Term of Ten Years: And the ſaid Warren Haſtings humbly begs leave to obſerve, that many of the Matters now charged againſt him, as High Crimes and Miſdemeanors, had been fully carried into Execution, and Accounts thereof formally tranſmitted to the Court of Directors of the ſaid United Company, and by them in due Courſe ſubmitted to the Conſideration of his Majeſty's Miniſters, prior to ſeveral of his ſaid ſucceſſive Appointments to the ſaid Office herein

above

above ſet forth; and the ſaid Warren Haſtings truſts, that it will be allowed him in this Place to affirm, that he never, directly or indirectly, at any Time made, or cauſed to be made, any Application, Suit, or Requeſt whatſoever, to any of His Majeſty's Miniſters, to the Directors of the Eaſt India Company, or any of them, or to any other Perſon or Deſcription of Perſons whatſoever, either for the Purpoſe of procuring himſelf to be originally appointed to, or afterwards continued in, the ſaid Office; and that the ſaid Office, firſt conferred upon him, in a Seaſon of great Difficulty and Embarraſſment, affecting peculiarly the Intereſts of the Eaſt India Company, was repeatedly afterwards conferred at Periods of imminent Danger and Diſtreſs, affecting equally the general Intereſts of the whole Britiſh Empire: And the ſaid Warren Haſtings admits, that he continued to act in the ſaid Office until the Month of February, One thouſand Seven hundred and Eighty five, at which Time Peace being reſtored to every Part of the Britiſh Dominions in India, and ſeveral important Arrangements with the Country Powers, and in the internal Regulation of the Affairs of the ſaid Company, in the ſaid Government, completed, he voluntarily reſigned the ſame. And the ſaid Warren Haſtings further admits, that he was bound, by all the ſolemn Obligations ſtated in the ſaid Introduction, faithfully to diſcharge the Truſts repoſed in him during all the Time that he ſo continued to act in the ſaid Office: And the ſaid Warren Haſtings denies, that he ever entertained any of the baſe or corrupt Views or Deſigns, or was actuated by any ſuch Motives, or aimed at the Attainment of any

ſuch

ſuch Objects, as are in and by the ſaid Introduction ſuggeſted and charged againſt him: And the ſaid Warren Haſtings further denies that he has been guilty of any unwarrantable or criminal Practices whatſoever, or that he has in any Manner violated the Duties of his ſaid Station, or that by any Acts whatſoever done or committed by him the ſaid Warren Haſtings in the Exerciſe of his ſaid Office, the Welfare of the Eaſt India Company has ſuffered, the Happineſs of the Native Inhabitants of India been diminiſhed, their Confidence in Engliſh Faith and Lenity ſhaken or impaired, or the Honour of the Crown and the Character of the Nation been in any Manner degraded. On the contrary, the ſaid Warren Haſtings does ſolemnly affirm, that, during the whole Period of his long and arduous Government, he did ſteadily and uniformly, according to the beſt of his Judgment, and the Means within his Power, purſue and endeavour to advance the Intereſts of the Eaſt India Company and the Britiſh Nation; and he truſts that, in the Reſult of ſuch Examination as his Conduct will receive from the Wiſdom and Juſtice of your Lordſhips, it will appear, that the Welfare of the Eaſt India Company has been, during the Exerciſe of his ſaid Office, materially promoted, the Happineſs of the Native Inhabitants of India protected and increaſed, their Confidence in Engliſh Faith and Lenity conciliated and confirmed, and the Honour of the Crown, and the Character of the Britiſh Nation, induſtriouſly and ſucceſsfully maintained. And the ſaid Warren Haſtings, before he proceeds to anſwer the ſeveral Articles wherewith he ſtands charged, humbly begs leave to ſtate,

that

that whereas the ſaid Articles do in many Inſtances contain long Narrations and Recitals of ſuppoſed Facts and Circumſtances, which do neither in themſelves import, nor are materially relevant to any criminal Charge againſt him, he humbly preſumes to hope, that, in ſubmitting to anſwer the ſame, he ſhall not be underſtood to admit ſuch Narrations or Recitals to contain any Matter of criminal Charge, or that he ſhall thereby preclude himſelf from inſiſting that he was not by Law required to make anſwer thereunto.

AND WHEREAS the true Nature of many Meaſures, charged againſt him the ſaid Warren Haſtings as Offences, can only be made appear by a full Expoſition and Detail of the general State of Public Affairs at the Times when ſuch Meaſures were reſpectively adopted, and by a particular Explanation of the ſeveral Motives which induced the Adoption of ſuch Meaſures; yet the ſaid Warren Haſtings, conceiving that an Anſwer framed in that Extent would have been inconſiſtent with the uſual Courſe of your Lordſhips Proceedings, and that ſuch Matters may be more properly reſerved for Evidence and Defence in a future Stage of this Proceeding; he will endeavour, as much as poſſible, to confine his Anſwer to a plain Denial or Admiſſion of the Facts in the ſaid Articles ſtated, and in general to abſtain from all Expoſition and Detail of the Meaſures and Facts themſelves, and of the Motives from which the ſame originated, except where ſuch Expoſition and Detail are immediately neceſſary for the Purpoſe of rendering his Anſwer intelligible; and he humbly

hopes, that your Lordſhips Juſtice will not ſuffer any Concluſions to be drawn to his Diſadvantage from ſuch his Anſwer to the ſaid Articles, but will allow him to enter into ſuch Expoſition and Detail, when he ſhall hereafter be permitted to make his Defence at your Lordſhips Bar. AND FURTHER, inaſmuch as many of the Facts in the ſaid Articles ſtated or referred to did not fall within the perſonal Knowledge of the ſaid Warren Haſtings, and could only be known to him by Intelligence tranſmitted to him by other Perſons, the ſaid Warren Haſtings humbly preſumes to hope, that the Admiſſions and Denials by him made will, in ſuch Caſes, be conſtrued only to mean that Intelligence was by him received to the Effect ſtated in his ſaid Anſwer. AND FURTHER, inaſmuch as ſeveral Facts and Circumſtances ſtated in the ſaid Articles are complicated with various Aggravations and Inferences, ſo as to render it extremely difficult for him to acknowledge ſome of ſuch Facts and Circumſtances, without acknowledging, or ſeeming to acknowledge, the Inferences drawn therefrom, or the Aggravations wherewith they are accompanied, the ſaid Warren Haſtings further hopes that he may, without any Violation of the ordinary Courſe of your Lordſhips Proceedings, be allowed to diſtinguiſh between Acts themſelves, and the Inferences drawn from them by the ſaid Articles; and that whenever he admits any Fact, he may not be underſtood to admit that ſuch Fact was by him done or committed upon ſuch Motives, and with ſuch Deſigns, or in ſuch Manner, as is ſuggeſted in the ſaid Articles. And with theſe Reſervations,

as

as to ſo much of the ſaid Articles as it is material or neceſſary for him to anſwer, the ſaid Warren Haſtings anſwers as follows:

FIRST ARTICLE.

TO THE FIRST ARTICLE the ſaid Warren Haſtings ſays, That Rajah Bulwant Sing therein named, was not a Chief in any Senſe of the Word, which imports independent and ſovereign Power, nor was he a Zemindar of certain Provinces, as in the ſaid Article is alledged, dependent upon the Mogul Empire, through Sujah Dowla, Nabob of Oude, and Vizier of the ſaid Empire: And the ſaid Warren Haſtings ſays, that in or about the Year One thouſand Seven hundred and Sixty-four, the 1764
Preſident and Council of Fort William did declare, that the ſaid Bulwant Sing having, in the Courſe of the War between the Eaſt India Company and Sujah Dowla, acted a wavering and double Part, was, in their Opinion, a Perſon in whom no Confidence ought to be placed: And the ſaid Preſident and Council did, in their Inſtructions to Major Hector Munro, who then commanded the Troops of the ſaid Company, ſignify their Deſire, that, in caſe the ſaid Bulwant Sing had not been permitted to join the ſaid Major Munro, and the Forces under his Command, or in caſe the ſaid Major Munro had not entered into any Engagements with the ſaid Bulwant Sing, he ſhould be diſpoſſeſſed of the

Country which he held, and that his Perſon ſhould, if poſſible, be ſecured: And the ſaid Warren Haſtings further ſays, that it appears, by the Public Correſpondence of the Preſidency at Fort William of that Period, that the ſaid Bulwant Sing having made certain Propoſals to the ſaid Major Munro, who agreed to accept the ſame, the ſaid Bulwant Sing did thereby become bound to join, and did, in fact, join the Forces under the Command of the ſaid Major Munro; but that he did afterwards, in Violation of his ſaid Engagement, deſert from the Britiſh Army, and did not return till after the Defeat of the ſaid Sujah Dowlah by the Forces of the ſaid Company: That it alſo appears that the ſaid Bulwant Sing was again received back, on the Faith of certain Promiſes made by General Carnac and Randolph Marriott Eſquire, who concluded an Agreement with the ſaid Bulwant Sing, without the Knowledge and Privity, and contrary to the Sentiments and Wiſhes of the Preſident and Council; and that the ſaid Preſident and Council did ſhortly afterwards declare the ſaid Bulwant Sing to be a Perſon in whom no Confidence could be ſafely placed, and with whom no Agreement ought to have been made; but that, as he had been received back on the Faith of Promiſes made by the ſaid General Carnac and the ſaid Randolph Marriott, the Preſident and Council reſolved to abide by the ſame, though they wiſhed none had been made: And the ſaid Warren Haſtings further ſays, that he knows of no other Manner in which the ſaid Bulwant Sing attached himſelf to the Britiſh Nation, nor in which he was of Service to the Affairs and Intereſts of Great

Britain,

Britain, though the ſaid Warren Haſtings admits, that the Court of Directors did declare an Opinion, to the Effect ſtated in the ſaid Article.

AND the ſaid Warren Haſtings ſays, that, by a Treaty of Peace concluded at Allahabad in the Year One thouſand Seven hundred and Sixty-five, between Sujah Dowla, Nudjum ul Dowla, then Nabob of Bengal, and the Engliſh Company, the ſaid Sujah Dowla did engage to continue the ſaid Bulwant Sing in all the Diſtricts he poſſeſſed at the Time he came over to the Nabob Jaffier Allee Khan, and the Engliſh, on condition of his paying the ſame Revenue as he had theretofore paid, and which Country of Benares, and other Diſtricts, are, in the Seventh Article of the ſame Treaty, deſcribed as being then rented by the ſaid Bulwant Sing: And the ſaid Warren Haſtings admits, that the ſaid Bulwant Sing retained to his Death the Poſſeſſion of the ſaid Diſtricts.

AND the ſaid Warren Haſtings ſays, that, by the Influence of the Britiſh Bengal Government, and in conſideration of a Nazerannah, or Fine, of Seventeen Lacks of Rupees, and an annual Increaſe of Two and a Half Lacks of Rupees to the former Rent paid to the Vizier, Rajah Cheyt Sing in the ſaid Article mentioned, was allowed to hold the ſaid Diſtricts, and was, in the Year One thouſand Seven hundred and Seventy, inveſted with the Government thereof, on ſuch Terms as his Father had held the ſame, the Difference of Annual Rent only excepted.

AND the ſaid Warren Haſtings ſays, that, in conſequence of ſuch Powers as are in the ſaid Article ſtated, he did procure an Agreement from the Nabob Sujah Dowla, whereby the ſaid Sujah Dowla granted and confirmed the Affairs of the Zemindary and Tahud of the Sircar of Benares, and other Diſtricts therein mentioned and deſcribed to have been under the Charge of Rajah Bulwant Sing, to the ſaid Rajah Cheyt Sing, upon their former Footing, excepting only the Increaſe of Rent herein before mentioned: And the ſaid Warren Haſtings admits, that by the ſaid Agreement, to which he craves Leave to refer, it was, amongſt other Things, provided, that no Increaſe of the ſaid Rent ſhould be ever demanded, which Agreement was expreſſed to be made between the ſaid Nabob Sujah Dowla and his Heirs, and the ſaid Cheyt Sing and his Heirs: And the ſaid Warren Haſtings did, by an Engagement in Writing, aſſure the ſaid Cheyt Sing, that ſo long as he ſhould make the Payments to the Vizier, which were thereby eſtabliſhed, the Company would attend to his Welfare, and afford him their Care and Protection, and that in the ſaid Agreements there ſhould never be any Breach or Deviation.

AND the ſaid Warren Haſtings admits, that he was bound to afford the Protection of the Eaſt India Company to the ſaid Rajah, and to prevent the Vizier from breaking through, or deviating from, the ſaid Treaties, ſo long as they were faithfully obſerved by the ſaid Cheyt Sing.

AND

AND the ſaid Warren Haſtings further admits, that the Reſident at the Court of Oude did, ſome Time in the Year One thouſand Seven hundred and Seventy-five, by the Directions of the Governor General and Council, the ſaid Warren Haſtings being then Governor General, interfere, for the Purpoſe of preventing the ſaid Vizier from levying a Sum of Money from the ſaid Cheyt Sing, on account of the Rent payable for the ſaid Diſtricts, before the ſame had become due; and believes that the ſaid Reſident did, at the ſame Time, make Declarations to the ſaid Vizier, to the Effect ſtated in the ſaid Firſt Article. 1775

AND the ſaid Warren Haſtings ſays, that the above Stipulations in favour of the Rajah, were fully known to, and ratified and confirmed by him the ſaid Warren Haſtings and the ſaid Council; but the ſaid Warren Haſtings does not know that any other Stipulations in favour of the ſaid Rajah were ever confirmed or ratified by him the ſaid Warren Haſtings.

AND the ſaid Warren Haſtings ſays, that the Board of Council at Fort William having reſolved (he the ſaid Warren Haſtings diſſenting from ſuch Reſolution) that the Treaties made with the late Nabob Vizier did not remain in force, but expired at his Death, the ſaid Warren Haſtings did, in the courſe of conſidering what new Treaty ſhould be thereupon negociated with the Nabob Aſoph ul Dowla, bring forward ſundry Propoſitions, One of which was to the Effect in the ſaid Firſt Article mentioned, which ſaid laſt-mentioned Propoſition was agreed

to by the Board, but the ſame was never afterwards carried into Execution; but for the Particulars of the Proceedings of the ſaid Board relative to that Subject, the ſaid Warren Haſtings craves Leave to refer to the ſame, when the ſame ſhall be hereafter produced. And the ſaid Warren Haſtings further ſays, that by a Treaty concluded on the Twenty-firſt May, One thouſand Seven hundred and Seventy-five, between the Nabob Aſoph ul Dowla and the Eaſt India Company, and to which, for the Contents and Effect thereof, he craves Leave to refer, the ſaid Nabob did give up unto the ſaid Company all the Diſtricts dependant on Rajah Cheyt Sing, together with the Land and Water Duties, and the Sovereignty of the ſaid Diſtricts in Perpetuity; and the ſaid Company were impowered, within One Month and an Half from the Date of the Treaty, to take upon themſelves the Sovereignty and Poſſeſſion of the ſaid Diſtricts. And the ſaid Warren Haſtings ſays, that at a Meeting of the Board of Council, held the Twelfth Day of June, One thouſand Seven hundred and Seventy-five, he the ſaid Warren Haſtings did lay before the Board for their Conſideration a Minute, ſtating, amongſt other Things, "That "the Sovereignty of the Zemindary of Benares "and its Dependencies having been ceded in "Perpetuity to the Honourable Company by "the Fifth Article of the Treaty lately formed "with the Nabob Aſoph ô Dowla, it became "immediately neceſſary to determine in what "Manner that Right ſhould be exerciſed, and "the regular Payment of the Revenue due "from the Rajah ſecured.—And the ſaid

"Warren

" Warren Haſtings did accordingly move that " the Subject ſhould be taken into Conſidera- " tion of the Board, and ſubmitted to their " Correction and Approval a Plan of Settle- " ment with Rajah Cheyt Sing, to be obſerved " until the Pleaſure of the Company reſpecting " it ſhould be known, declaring his Readineſs " to acquieſce in any other which might be pro- " poſed on Terms by which more effectual Pro- " viſion might be made for the Intereſt of the " Company, without an Encroachment on the " juſt Rights of the Rajah, or the Engage- " ments actually ſubſiſting with him."

AND the ſaid Warren Haſtings further ſays, That by the Plan laid before the Council at Fort William in Bengal, upon that Occaſion, ſeveral Propoſitions were ſuggeſted as a Plan of Settlement with Rajah Cheyt Sing, in conſequence of the Ceſſion made by the Nabob Aſoph ul Dowla to the Eaſt India Company, of the Sovereignty of the Poſſeſſions which the ſaid Cheyt Sing then held. But the ſaid Warren Haſtings denies that the ſaid Propoſitions were laid before the Board for the Purpoſe of carrying into Effect any Intention of the Board to render the ſaid Rajah more independant, or that the ſaid Board had, by any Reſolution or Public Act, ſubſequent to the ſaid Ceſſion ſo made as aforeſaid, manifeſted any ſuch Intention. And as to the Intention or Opinion of the individual Members who compoſed the ſaid Board, Colonel Monſon, then being of the ſaid Council, did, in conſidering the ſaid Propoſitions, enter, upon the Conſultations of the ſaid Council, his Opinion, that no Conceſſion ſhould

be

be made to the ſaid Rajah, but that he ſhould remain exactly in the ſame State of Dependance and Subordination to the Company as he was in to the Nabob; and General Clavering, being alſo of the ſaid Council, did likewiſe enter his Opinion, that the Rajah ſhould hold his Zemindary of the Company on the ſame Footing preciſely that he held it of the late Nabob; and that if the Adminiſtration of Juſtice were given him, a ſuitable Equivalent ſhould be obtained equal to the Advantages that might accrue to him from it. But the ſaid Warren Haſtings ſays, that it was his Object in propoſing the ſaid Plan, to render the Rajah more independant than he had been, and to prevent him from being reduced to what he the ſaid Warren Haſtings did call the mean and depraved State of a mere Zemindar, and to raiſe him to a Situation of Power and Dignity unknown to any of his Anceſtors; but the ſaid Warren Haſtings denies that he did thereby intend in any Degree to weaken or diminiſh the Right of Sovereignty belonging to the ſaid Company over the Poſſeſſions and Government of the ſaid Rajah, or to change the Nature of the Relation in which the ſaid Rajah then ſtood to the ſaid Company, as holding Poſſeſſions ſubject to their Sovereignty, or to ſuperſede or diſpenſe with any of the Duties which as a Vaſſal, and in reſpect of his ſaid Tenure, he then owed to the ſaid Company; for the ſaid Warren Haſtings did expreſsly and in Terms propoſe, that the ſaid Rajah ſhould be empowered to exerciſe a complete and uncontrolled Authority over his Zemindary, under the acknowledged Sovereignty of the Honour-

able

able Company in the Government of the Country dependant on him, in the Collection of the Revenue, and in the Adminiſtration of Juſtice. And the ſaid Warren Haſtings did further in expreſs Terms declare, that the ſaid Rajah was bound for the Performance of Duty as a Vaſſal to the ſaid Company.

AND the ſaid Warren Haſtings further ſays, That the ſaid Board did agree to the ſaid Propoſal, adding thereto, that a Compenſation ſhould be demanded of the ſaid Rajah for the Cutwally.

AND the ſaid Warren Haſtings further ſays, That he did propoſe that Sunnuds ſhould be granted to the ſaid Rajah, ſpecially conferring upon him the Power of appointing Officers to the Charge of the Cutwally and the Mint of Benares, the latter to be ſubject to ſuch Orders and Regulations as the Governor General and Council ſhould at any Time think it proper to decree; and he did further propoſe, that the ſaid Rajah ſhould hold his Right to the ſaid Mint, on Condition of his faithful Obſervance of ſuch Regulations. But the ſaid Warren Haſtings denies that by ſuch Propoſal he did intend to convey to the ſaid Cheyt Sing any Rights inconſiſtent with the Sovereign Power of the ſaid Company over his ſaid Poſſeſſions; for the ſaid Warren Haſtings did on the contrary expreſsly declare, and enter ſuch his Opinions upon the Conſultations of the Council, that the Grant of the ſaid Offices to the ſaid Rajah by ſpecial Sunnuds, would be a ſufficient Expreſſion of the Sovereignty of the ſaid Company; to

which the ſaid Warren Haſtings did add, that the ſolemn Renunciation of the ſaid Sovereignty, made by the Nabob of Oude, was the beſt and moſt valid Charter under which it could be claimed; and that while the ſaid Company had Three Brigades, and a full Treaſury to aſſiſt it, there was no Fear that their Right to it would be oppoſed by Reaſonings, drawn from implied Symbols of Dominion.

AND the ſaid Warren Haſtings further ſays, That the Board did afterwards agree to the Terms of the ſaid Propoſal reſpecting the Cutwally and the Mint, adding thereto a Condition, that the Rajah ſhould pay an annual Compenſation to the Company for ſuch Cutwally and Mint, and oblige himſelf to coin Money of the preciſe Standard only, which ſhould be fixed by the Board.

AND the ſaid Warren Haſtings ſays, That having ſubmitted to the Conſideration of the Board certain Propoſitions connected with, and dependent on each other, as forming a general Plan of Settlement between the ſaid Cheyt Sing and the Eaſt India Company, which Propoſitions afterwards underwent material Alterations by the Board, he did, amongſt the reſt, and as Part of his original Propoſitions, recommend, that while the Rajah ſhould continue faithful to the Engagements thereby propoſed to be required from the ſaid Rajah, and while he ſhould continue punctual in his Payments, and ſhould pay due Obedience to the Authority of the Company, no more Demands ſhould be made upon him of any Kind by the ſaid Company;

nor, upon any Pretence whatſoever, ſhould any Perſon be allowed to interfere with his Authority, or to diſturb the Peace of his Country. And the ſaid Warren Haſtings ſays, that the Reſolutions formed by the ſaid Board of Council were ordered to be communicated to the ſaid Rajah Cheyt Sing, by Francis Fowke Eſquire, the then Reſident at Benares, who was at the ſame Time directed to notify to the ſaid Cheyt Sing the Sovereignty of the ſaid Company over all the Territories of his ſaid Zemindary, and to receive from him, on account of the ſaid Company, and in their Name, a Nuzzeranna, or Acknowledgment of his Vaſſalage.

AND the ſaid Warren Haſtings further ſays, That he did, in effect, declare, in propoſing the ſaid Plan, that the voluntary Reſtraint which the ſaid Government of the ſaid Company would, if the ſame was carried into Execution, lay on its own Actions, was calculated to produce the Effects in the Firſt Article mentioned. And the ſaid Warren Haſtings ſays, that he did propoſe, as Part of his Plan, that in return for certain Conceſſions to be made to the ſaid Cheyt Sing, and for the Performance of his Duty as a Vaſſal to the Company, the ſaid Rajah ſhould engage to maintain in conſtant Pay, and ready at all Times for immediate Service, ſuch Body of Cavalry, and upon ſuch Terms as are in the ſaid Firſt Article mentioned; but the ſaid Warren Haſtings ſays, that he did not at the Time of propoſing the ſaid Plan declare, that it was far from his Intention to propoſe the above, or any other Article, to be impoſed on the ſaid Rajah by

Compulſion: But the ſaid Warren Haſtings ſays, that he did make ſuch Declaration at a ſubſequent Period, *viz.* in the Month of July, One thouſand Seven hundred and Seventy-five. And the ſaid Warren Haſtings further admits, that the Board did finally reſolve, in or about the Month of July, in the Year One thouſand Seven hundred and Seventy-five, that it ſhould be recommended to the ſaid Cheyt Sing, to keep up Two thouſand Cavalry, to be diſciplined after the European Manner; but that there ſhould be no Obligation on him ſo to do.

AND the ſaid Warren Haſtings further ſays, That neither by all or any of the ſeveral Acts, Agreements, Treaties, or Stipulations above mentioned, nor by any other within the Knowledge of the ſaid Warren Haſtings, was the ſaid Cheyt Sing under the Authority of the Eaſt India Company confirmed and ſecured in the free and uncontrolled Authority in the Regulations and Government of his Zemindary, in the Manner and to the Extent ſtated in the ſaid Firſt Article.

THE ſaid Warren Haſtings ſays, That he was bound by the Duties of his Office, and by the Ties of Juſtice and Public Faith, to adhere to every Treaty, Stipulation, and Engagement, ſubſiſting between the Company and the ſaid Rajah, according to the plain Senſe and true Underſtanding thereof, ſo long as the ſaid Rajah ſhould on his Part faithfully diſcharge the Duties reſulting from his Relation to the ſaid Company.

AND the ſaid Warren Haſtings further ſays, that on or about the Seventh Day of July, One thouſand Seven hundred and Seventy-eight, Intelligence was received by the Governor General and Council, of a War between Great Britain and France; and the Governor General and Council deeming ſuch Intelligence authentic, the ſaid Warren Haſtings did, in conſequence thereof, on the Ninth Day of the ſame Month, amongſt other Meaſures, propoſe, and it was by the ſaid Board accordingly reſolved, "That Rajah Cheyt Sing ſhould be re-
" quired, in Form, to contribute his Share to
" the Burthen of the War, by the Eſtabliſh-
" ment of Three regular Battalions of Sepoys,
" to be raiſed and maintained at his Expence:"
And the ſaid Warren Haſtings was, as Governor General, requeſted to write to the ſaid Cheyt Sing to that Effect. And the ſaid Warren Haſtings denies that he did propoſe the ſaid Reſolution, or concur therein, in Breach of any Duty or Truſt repoſed in him, or in Contradiction to any Treaty, Stipulation, or Engagement, exiſting between the ſaid Company and the ſaid Rajah, or from all or any of the corrupt or criminal Motives, or with any of the Views in the ſaid Firſt Article charged upon him. And the ſaid Warren Haſtings further denies, that the State of the Treaſury was ſuch as to render the ſaid Meaſure unneceſſary, or that there were any other Perſons in Situations ſimilar to that of the ſaid Cheyt Sing, upon whom any Levy or Demand of Contribution then could or ought to have been made. And the ſaid Warren Haſtings farther

further ſays, that in purſuance of the ſaid Vote of Council of the Ninth of July, One thouſand Seven hundred and Seventy-eight, he did, on the Eleventh of the ſame Month, write a Letter to the ſaid Rajah, of which the following is a Copy:

"To Rajah Cheyt Sing."

"WAR having been declared between the "Courts of Great Britain and France; by the "former on the Eighteenth of March, and by "the latter on the Thirtieth of March; I am "to requeſt of you, in my own Name, and "that of the Board, as a Subject of the Com-"pany, bound to promote their Intereſt on "every Occaſion, to contribute your Share of "the Burthen of the preſent War, which will "equally affect your Intereſt and ours. It has "been determined by the Board, that an Eſta-"bliſhment of Three regular Battalions of Se-"poys, to be commanded by Britiſh Officers, "be raiſed and maintained at your Expence, "and employed on ſuch Service as the Situa-"tion of Affairs may require. I have no Doubt "but, regarding this Meaſure equally condu-"cive to your own and the Company's In-"tereſt, you will, with the greateſt Readineſs, "comply; and I hope you will intimate your "Conſent without Delay."

AND the ſaid Warren Haſtings further ſays, that he did receive from the ſaid Cheyt Sing the following Anſwer to the ſaid Letter:

"I have been honoured by the Receipt of your "gracious Letter, communicating the Intelli-

"gence

" gence of a War having broke out between " the Courts of Great Britain and France, and " deſiring me to take on myſelf a Share of " the Burthen of Expence. My Patron, I am " the Servant of the Sircar; I will write you " more fully hereafter. On all Occaſions I am " hopeful of your Highneſs's Favour and Sup- " port." And the ſaid Warren Haſtings ſays, that he did, upon the Seventeenth of Auguſt, One thouſand Seven hundred and Seventy-eight, lay before the Board the ſaid Letter; and did at the ſame Time inform the Board, as the ſaid Warren Haſtings avers the Fact to have been, that having called upon the Rajah's Vackeel for an Explanation of his Maſter's further Sentiments upon the Subject of it, he was aſſured by the ſaid Vackeel that the ſaid Rajah was at all Times ready to pay Obedience to the Commands of the Board, and to afford every Proof of his Attachment to the Company; and that the Rajah had authorized him to declare his Acquieſcence in the Requiſition of a Subſidy, equal to the Expence of Three Battalions of Sepoys, for the Service of the War; and that the ſaid Vackeel contended much for fixing the Sum of the Subſidy at Three Lacks of Rupees; but the ſaid Warren Haſtings having told him it could not be leſs than Five, the ſaid Vackeel did conſent, in the Name of the ſaid Rajah, and in virtue of the Authority which he derived from him, to the Payment of that Sum, for One Year, alledging that his Authority extended no further. And the ſaid Warren Haſtings further ſays, that it was unanimouſly reſolved at the ſaid Board, that the Subſidy to be paid by the ſaid Rajah for the Maintenance

of

of Three Battalions of Sepoys, during the War, ſhould be fixed at the Annual Sum of Five Lacks of Muchlidar Rupees; and that he ſhould be immediately required to pay that Sum into the Hands of the Reſident, Mr. Graham. And the ſaid Warren Haſtings further ſays, that the ſaid Reſolution was communicated to the ſaid Cheyt Sing, who, after various Attempts to delay the Payment of the ſaid Sum, on the Plea of Inability, did at length pay it, in conformity to the ſaid Reſolution. And the ſaid Warren Haſtings denies that the ſaid Sum of Money was extorted from the ſaid Cheyt Sing, or that the ſaid Warren Haſtings is in any Manner criminal in reſpect to the Demand or Receipt thereof, or that in the whole, or any Part of the ſaid Meaſure, he was actuated by any of the corrupt Motives or Views in the ſaid Firſt Article charged upon him.

And the ſaid Warren Haſtings further ſays, that in or about the Month of July, in the Year One thouſand Seven hundred and Seventy-nine, it was unanimouſly agreed in Council, on the Motion of the ſaid Warren Haſtings, that the ſaid Cheyt Sing ſhould be required to contribute the Sum of Five Lacks, as his Share for the Expence of the War for the current Year; and it was at the ſame Time agreed that the Governor General and Council ſhould be required to write to the ſaid Rajah Cheyt Sing, acquainting him that the Period of One Year, for which he had agreed to pay Five Lacks of Muchlidar Rupees, as his Share of the Burthen of the War with France, on the Seventeenth of

Auguſt,

Auguſt, One thouſand Seven hundred and Seventy-eight, was expired, and as the Continuation of the War ſtill made it neceſſary to maintain the ſame Eſtabliſhment of Troops for the Defence of the Country, that the Board deemed it requiſite that he ſhould at that Time contribute the further Sum of Five Lacks of Muchlidar Rupees, as his Proportion of the Charge for the current Year; and that therefore the Reſident had been directed to apply to him for the ſame. And the ſaid Warren Haſtings ſays, that he did accordingly write a Letter to the ſaid Cheyt Sing, to that Effect. And the ſaid Warren Haſtings inſiſts, that the ſaid Rajah Cheyt Sing was bound to comply with the ſaid Demand, and that he was fully able ſo to do; notwithſtanding which, and although repeated Applications were by the ſaid Reſident made to the ſaid Cheyt Sing, for the Payment of the ſaid Sum of Money, the ſaid Cheyt Sing falſely alledged that it was abſolutely out of his Power to raiſe the Sum required, and did on ſuch Pretence withhold the Payment thereof. And the ſaid Reſident having repreſented to the Board that he had continued to renew the ſaid Demand on the Rajah every Second Day, and finding that he held to the Terms of his Firſt Refuſal, and ſeeing no Probability of a ſpeedy Change in his Sentiments, he was unavoidably reduced to the Neceſſity of applying to the Board for further Inſtructions; whereupon it became the Duty of the ſaid Warren Haſtings, and of the ſaid Council, to have Recourſe to ſome effectual Method to enforce the Payment thereof; and it was accordingly reſolved by the Board, on the Motion of the ſaid Warren

Haſtings, that the Commander in Chief ſhould be directed to iſſue an Order for the March of Two Battalions of Sepoys to Benares, on the Requiſition of Mr. Thomas Graham, and there to remain for the further Orders of the Board; that the whole Expence of that Detachment, from the Day of its March, ſhould be paid by the Rajah of Benares; that ſuch Reſolution ſhould be communicated to him by the Governor General; and that the Reſident ſhould be ordered to inform the Rajah of it, repeating his Demand for the Sum required; and in caſe of his Refuſal or Non-compliance with the ſaid Demand, the Reſident ſhould give immediate Notice to the Officer in Command of the Detachment, that he might march accordingly. And the ſaid Warren Haſtings further ſays, that he did accordingly, by Letter, and by means of the ſaid Reſident, appriſe the ſaid Rajah of ſuch Reſolution, who having afterwards promiſed to pay the ſaid Sum, did notwithſtanding renew his ſaid falſe Pretence of Inability, and withhold the Payment thereof, to the great Injury of the public Service; whereupon the ſaid Reſident, in purſuance of the aforeſaid Directions of the Board, did require Major Camac to march to Benares with the Detachment under his Command; and the ſaid Sum of Five Lacks was, in conſequence thereof, paid in full by the ſaid Cheyt Sing, together with the Expence incurred by the March of the ſaid Detachment. And the ſaid Warren Haſtings further ſays, that in the Month of Auguſt, One thouſand Seven hundred and Seventy-eight, Advices were ſent by the Governor General and Council to the ſaid Court of Directors, con-

containing an Account of the Meaſures purſued by the Board upon the Receipt of the Intelligence of a War in Europe, One of which Meaſures was the ſaid Firſt Demand of Subſidy from the ſaid Cheyt Sing, in the Year One thouſand Seven hundred and Seventy-eight, and which Meaſure had been, by a Minute at the Board, referred to the ſaid Court for their Deciſion on the Right to demand the ſame. And the ſaid Warren Haſtings further ſays, that in or about the Month of December, One thouſand Seven hundred and Seventy-nine, Letters were received from the ſaid Court of Directors, acknowledging the Receipt of the ſaid Advices; but in the ſaid Letters the ſaid Court of Directors did not expreſs any Diſapprobation either of the Demand itſelf, or of the Right to make or enforce the ſame. And the ſaid Warren Haſtings further ſays, that afterwards, on Twenty-ſecond June, One thouſand Seven hundred and Eighty, the Governor General and Council, he being then Governor General, did again unanimouſly reſolve to demand from the ſaid Rajah Cheyt Sing, a further Sum of Five Lacks of Rupees; and which was accordingly demanded on account of the ſame Exigencies as had occaſioned the Demands made in the Two preceding Years. And the ſaid Warren Haſtings ſays, that the ſaid Cheyt Sing did, on the ſaid Demand being made known to him, conſent and promiſe to comply with the ſame; but notwithſtanding ſuch Promiſe and Conſent, he did again, under various falſe Pretences, delay and withhold the Payment of the ſaid Sum, to the great Detriment of the public

 Service;

Service; whereupon the ſaid Governor General and Council did, on the Motion of the ſaid Warren Haſtings, unanimouſly order that Mr. Fowke, then Reſident at Benares, ſhould inform the Rajah that the Board were much diſpleaſed with his affected Delays, knowing his Ability to make the immediate Payment of the Subſidy; and that the ſaid Reſident ſhould peremptorily require him to diſcharge the ſame. And the ſaid Warren Haſtings further ſays, that afterwards, on the Twenty-ſixth October, One thouſand Seven hundred and Eighty, the Board having been informed, by a Letter from the ſaid Reſident, that the Rajah, notwithſtanding his ſolemn Aſſurance, had paid no Part of the Balance of his Subſidy, but had reſumed his Plea of Inability, and that the ſaid Reſident could form no Opinion how long the ſaid Cheyt Sing might think proper to protract the Payment, the ſaid Board did, on the Recommendation of the ſaid Warren Haſtings, reſolve that the ſaid Reſident ſhould be directed to demand inſtant Payment of the Balance due on Account of the Subſidy of the ſaid Cheyt Sing; and that, if he ſhould not have paid it at the Time of the Receipt of their Order, that the ſaid Reſident ſhould, in the Name of the Board, exact Payment of the further Sum of One Lack of Rupees, as a Fine for his paſt Diſobedience; and that, to enforce ſuch Order, Brigadier General Stibbert ſhould be directed to iſſue Orders to the Commanding Officers of the Battalions of the neareſt Station to Benares, to march immediately to that Place, and to wait ſuch Orders as might be thereafter tranſmitted to them; and that, in the mean time, the

Board

Board ſhould be informed of the Reception given by the Rajah to that Order, which, it was hoped, might be ſuch as ſhould render it unneceſſary to proceed to Extremities againſt him: But the ſaid Warren Haſtings ſays, that the ſaid Balance being diſcharged, the propoſed Fine was not then levied. And with reſpect to ſo much of the ſaid Firſt Article as relates to the ſaid Sum of Two Lacks of Rupees therein ſtated to have been privately received by the ſaid Warren Haſtings, from a Perſon named Sadanund, Buxey or Treaſurer to the ſaid Rajah, as a Preſent or Bribe, and which, by the ſaid Firſt Article, is ſuppoſed to have been given on the Account therein ſtated, the ſaid Warren Haſtings (referring to his Anſwer hereinafter made in this Behalf) denies that the ſame, or any other Sum of Money, was ever received by him, as a Bribe, or for his own Uſe, or for any corrupt or criminal Purpoſe whatever, or was ever ſo applied.

AND the ſaid Warren Haſtings ſaith, that on or about the Second November, One thouſand Seven hundred and Eighty, it was agreed in Council that the ſaid Warren Haſtings ſhould be requeſted to write to the Rajah of Benares, requiring him to furniſh ſuch Part of the Cavalry entertained in his Service as he could ſpare for the Service of the Company, and to inform the ſaid Warren Haſtings what Number he the ſaid Rajah could ſupply; and it was likewiſe agreed, that a Letter ſhould be written to Mr. Fowke, the Reſident at Benares, directing him to make the ſame Requiſition; and the ſaid Reſident was directed to inform

the

the Rajah, that the ſaid Force would be no longer required than during the Continuance of the War which then exiſted, and that it would be returned at the Cloſe of it; which Requiſitions were accordingly made; and the ſaid Warren Haſtings avers that the ſame were, in the then State of the Company's Affairs, expedient and neceſſary to be made; and he denies that the Reſolution laſt mentioned was made, or that he propoſed or concurred therein, in Proſecution of any malicious or criminal Deſign whatever.

AND the ſaid Warren Haſtings denies, that he did enter into any Negociation with the Nabob of Oude for the Sale of the ſaid Territories to the ſaid Vizier for a Sum of Money to be paid to the Eaſt India Company, as in the ſaid Article is alledged; but the ſaid Warren Haſtings inſiſts that if he had entered into a Negociation with the ſaid Vizier on this Subject, he would not have been thereby guilty of any Act in Defiance of the Letter or Spirit of any Treaty, or Agreement, then ſubſiſting between the ſaid Rajah and the Eaſt India Company.

AND the ſaid Warren Haſtings ſays, that he did ſome Time in the Month of January, in the Year One thouſand Seven hundred and Eighty-one, in conſequence of repeated Repreſentations, the Truth whereof he had then ſufficient Reaſon to believe, write a Letter to the ſaid Rajah Cheyt Sing, which he conceives to be alluded to in the ſaid Firſt Article, of which the following is a Copy: "Frequent Re-
" preſentations having been made to me of the

" Want

" Want of Punctuality in the Payment of your " Malguzary, that Part more particularly which " is deſigned for the Diſburſement of Saudut " Ally Khan's Salary; and it having at this " Time more than any other a bad and ſuſpi- " cious Appearance, I do peremptorily order " that all Arrears of whatſoever Kind be paid " up within Twenty-four Hours after the " Receipt of this Perwanna, or you muſt expect " that bad Conſequences will follow." And the ſaid Warren Haſtings denies that the ſaid Letter was written with any of the criminal Motives or Deſigns in the ſaid Article charged upon him, or that he was in any other Manner criminal in reſpect thereof. And the ſaid Warren Haſtings further ſays, that in or about the Month of July, One thouſand Seven hundred and Eighty-one, it was reſolved in Council, amongſt other Things, that he the ſaid Warren Haſtings ſhould be inveſted with full Power and Authority to form ſuch Arrangements with the Rajah of Benares for the better Government and Management of his Zemindary, and to perform ſuch Acts for the Improvement of the Intereſt which the Company poſſeſſed in it, as he the ſaid Warren Haſtings might think fit and conſonant to the mutual Relation, and actual Engagements, ſubſiſting between the Company and the ſaid Rajah. And the ſaid Warren Haſtings admits that he did concur in the ſaid Reſolution, but he denies that he did thereby inveſt himſelf with an illegal or dangerous Delegation of the Powers of the whole Council, without any Authority given to him ſo to do by the Eaſt India Company, or by any Act of Parliament; or that the ſaid Delegation was in

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any Manner illegal or dangerous, or unwarrantable: And further the ſaid Warren Haſtings admits, that he did undertake a Journey to the Upper Provinces, and in particular to the Province of Benares; but he denies that he undertook the ſaid Journey from the Motives, or with the Deſigns, in the ſaid Firſt Article alledged.

AND the ſaid Warren Haſtings further denies, that he did, in Proſecution of any falſe, wicked, or malicious Pretences, or wantonly, arbitrarily, or tyrannically degrade, inſult, or falſely accuſe the ſaid Rajah, as in the ſaid Firſt Article is ſtated: But the ſaid Warren Haſtings admits, that he did charge the ſaid Rajah with certain Acts of Miſgovernment and Diſaffection, and with Breach of Faith and Duty to the Eaſt India Company; which Charges were ſet forth in a Paper Writing ſigned by him the ſaid Warren Haſtings, and delivered to the ſaid Rajah, and which Charges the ſaid Warren Haſtings did then believe, and does now believe to be true: And the ſaid Warren Haſtings admits that he the ſaid Rajah did manifeſt ſuch Behaviour, and uſe ſuch Expreſſions, as are in the ſaid Firſt Article ſtated. But the ſaid Warren Haſtings having Reaſon to diſtruſt the Sincerity of the ſaid Rajah, did, at the Commencement of the Proceedings, which he then deemed, and now inſiſts were neceſſary and fit to be adopted on the ſaid Occaſion, order the ſaid Rajah to be put under Arreſt; but he denies that the ſaid Arreſt was a Meaſure of ſuch Nature, or attended with ſuch Circumſtances, or productive of ſuch Effects, as are ſtated in the ſaid Firſt Article. And he further ſays,

that a Party of the Company's Sepoys having been placed as a Guard over the ſaid Rajah, a Body of Troops in his Pay did, in his Preſence, attack the ſaid Guard, the greateſt Part of which Guard, both Officers and Men, were either killed or wounded: And the ſaid Warren Haſtings denies that the ſaid Attack was of ſuch a Nature, or occaſioned by ſuch Circumſtances, as are in the ſaid Firſt Article mentioned. And he ſays, that during the Continuance of the ſame, the ſaid Rajah did, in Breach of the ſaid Arreſt, withdraw to a Fort in the Neighbourhood, belonging to him the ſaid Rajah.

AND the ſaid Warren Haſtings admits, that the ſaid Rajah did afterwards ſend divers Letters to him the ſaid Warren Haſtings, of ſuch Nature as in the ſaid Firſt Article is ſtated; to which the ſaid Warren Haſtings, for good and ſufficient Reaſons, did not return any Anſwer. And the ſaid Warren Haſtings admits, that he did impute the ſaid Rebellion to ſuch Deſigns and to ſuch Intentions of the ſaid Rajah, as are ſuggeſted in the ſaid Firſt Article; but he denies that the ſaid Rebellion was raiſed by any Violence, Breach of Faith, or Oppreſſion, on the Part of him the ſaid Warren Haſtings.

AND he further denies, that he did unneceſſarily or criminally hazard the Safety of the Britiſh Empire in the Eaſt, upon the Event of a Civil War. And the ſaid Warren Haſtings ſays, that he did, in Diſcharge of his public Duty, by means of the Company's Troops, expel the ſaid Rajah from the ſaid Zemindaries, to which he had forfeited his Right: But the

ſaid Warren Haſtings denies, that, in ſo doing, he acted wickedly, arbitrarily, or tyrannically. And he further denies, that the ſubſequent War with the ſaid Rajah was, on the Part of the Eaſt India Company, unjuſt; or that the Conſequences which aroſe therefrom, are in any Manner imputable to him the ſaid Warren Haſtings; or that he was guilty of any Miſconduct, Violence, Tyranny, or Improvidence, in reſpect to the ſame.

AND the ſaid Warren Haſtings denies, that he was guilty of any Extortion or Exaction whatſoever; or that by all or any the aforeſaid Acts, Demands, Arreſt, or Expulſion, of the ſaid Cheyt Sing, or in reſpect of any other Acts or Omiſſions, he has in any Manner violated the Truſt repoſed in him, the Faith of Treaties, or has acted contrary to his own Senſe of Duty; or that he has in any Manner diſgraced or diſcredited the Character of the Britiſh Nation in India; or that he has, by all or any of the aforeſaid Acts, been guilty of any Crime or Miſdemeanour whatſoever.

AND the ſaid Warren Haſtings further ſays, that after the Company's Troops had been ſo cut off, and the ſaid Cheyt Sing had ſo broken his Arreſt at Benares as aforeſaid, and whilſt the ſaid Cheyt Sing was at the Head of a numerous Force, and carried on War and Rebellion againſt the ſaid Company, he, the ſaid Warren Haſtings, did direct an Attack to be made upon the Fort called Bidjegur, in the ſaid Article mentioned; which Fort was garriſoned and defended by the Troops of the ſaid Cheyt Sing,

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againſt the Troops of the ſaid Company. And the ſaid Warren Haſtings admits, that, at the Time of ſuch Attack, Panna, the Mother of the ſaid Rajah, and the ſurviving Women of the Family of Bulwant Sing, were in the ſaid Fort. And the ſaid Warren Haſtings admits, that he did give Orders to ſeize the ſaid Fort; and further, that he did give Orders to ſeize upon all the Money and Effects that might be found in the ſaid Fort; but he denies that he did iſſue any Orders, directing that the Fort, and all the Property it contained, ſhould be ſecured for the Benefit of the Detachment employed in reducing it; or that he did abandon to the Soldiery the Property of the ſaid Women; or that he did in any Manner ſtimulate the Army to Rapine or Outrage. But the ſaid Warren Haſtings further ſays, that the ſaid Panna having propoſed to him to ſurrender the ſaid Fort and the Treaſure therein contained, on certain Conditions ſpecified by herſelf, he did, in a Letter to Major Popham, declare that he accepted the ſaid Surrender upon thoſe Conditions, provided the Propoſal was fully carried into Effect within Twenty-four Hours after the Time of her receiving his Anſwer thereto; and did at the ſame Time intimate, that if ſhe ſhould refuſe to execute the Promiſe ſo made by herſelf, or ſhould delay the Execution of it beyond the Time aforeſaid, the ſaid Warren Haſtings would then conſider it as a wanton Affront and Indignity, which he could never forgive. And the ſaid Warren Haſtings ſays, that being at the Diſtance of ſeveral Miles from the ſaid Fort at the Time of the Surrender thereof, he was afterwards informed by Major

 Popham,

Popham, who then commanded the Company's Forces at the Siege of the ſaid Fort, that the ſaid Panna having come out of the Fort with her Family and Dependants at a late Hour of the Night, which prevented ſuch Attention being paid to her as he the ſaid Major Popham wiſhed, her People were, notwithſtanding all he could do, plundered on the Road of moſt of the Things which they brought out of the Fort, by the Followers of the Army under the Command of the ſaid Major Popham, by which Means one of the Articles of Surrender was much infringed;—that the Diſtreſs he Major Popham felt upon that Occaſion could not be expreſſed, and could only be allayed by a firm Performance of the other Articles of the Treaty, which he would make it his Buſineſs to enforce.

AND the ſaid Warren Haſtings ſays, that upon the Receipt of the Letter laſt mentioned, he wrote to the ſaid Major Popham, expreſſing the Concern of him the ſaid Warren Haſtings, that the Licentiouſneſs of any Perſons under the Command of the ſaid Major Popham ſhould have given Cauſe to complain of the Infringement of the ſmalleſt Article of the ſaid Capitulation, and hoping that he would diſcover the Offenders, and oblige them to make Reſtitution, and alſo to puniſh them in the moſt exemplary Manner; and declaring, that he relied on the Humanity and Juſtice of the ſaid Major Popham to make all the Recompence in his Power, by a ſcrupulous Attention to enforce the Performance of the remaining Stipulations in favour of the ſaid Panna. And the ſaid War-

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ren Haſtings believes, that an adequate Compenſation was afterwards, in conſequence of ſuch Letter, made to the Perſons plundered.

AND the ſaid Warren Haſtings denies, that he did ever give any Licence or Permiſſion to the Soldiers to plunder, or that he did ever make any ſuch Declaration of Right as in the ſaid Firſt Article is alledged; but he ſays, that having received Information that the Property captured in the ſaid Fort had been in Part diſtributed amongſt the Officers and Troops preſent at the Capture of the ſame, he did, on the Fourteenth November, One thouſand Seven hundred and Eighty-one, write a Letter to the ſaid Major Popham concerning ſuch Subject, in which, amongſt other Things, he wrote as follows:

" The Subject on which I am now to write is
" a very diſagreeable and painful one to me,
" but indiſpenſable. I have received Informa-
" tion which, though private, is certainly au-
" thentic, that you have already diſtributed one
" Dividend of the Treaſure found in Bidjegur
" among the Officers and Troops on the Spot.
" If this be true, I am very ſorry for it, as on
" many Conſiderations it appears to me, that
" ſuch Diſtribution is premature. I apprehend
" that it is a Propoſition not to be diſputed, that
" every Thing acquired by the Army of a State,
" belongs to the State which employed thoſe
" Arms. By Charters and Acts of Parliament,
" the ſole Right to all Conqueſts or Captures
" made by the Company's Arms, is veſted in
" the Company. It was, however, my Inten-
" tion to have uſed my utmoſt Authority and
" Influence to have obtained for the Troops en-

" gaged

" gaged in the Service againſt Cheyt Sing, the " whole Booty which might be found in Bidje- " gur, or other Places. I regarded it as the due " Reward of their Services and Recompence of " their Sufferings; but I never meant that they " ſhould ſeize it, and ſcramble for it. Beſides, " if the actual Right was in the Army at a " Time like this, when the Exigencies of the " Company are ſo great, ſurely they might have " expected to have benefited by the immediate " Uſe of it as a Loan. I had, I muſt own, " ſuch Confidence in your Diſcretion; that I " did expect, if the Treaſure found in the Fort " ſhould prove very conſiderable, you would " not have proceeded to any Diſtribution of it, " until you had reported the Amount to the " Board, and obtained their Sanction for ap- " propriating it to the Troops, or at leaſt that " you would have repreſented it to me, as I am " ſo near you."

AND the ſaid Warren Haſtings did in the ſame Letter further add, " I muſt therefore re- " quire of you to ſuſpend any further Diſtribu- " tion or Dividend, until the Orders of the " Board reſpecting it are received; and I deſire " you will order and require the Officers who " have already ſhared, to refund the Sums which " they have reſpectively received, and acquaint " them, if they do not, they will be reſpon- " ſible to Government; and that ſuch Sums, as " well as what ſhall remain, are and muſt be " ſubject to the final Deciſion of the Board."

AND the ſaid Warren Haſtings denies, that he was guilty of any Breach of Faith with the

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ſaid Troops, or of any Breach of Duty to his Conſtituents; or that he has pretended to, or purſued, any diſhonourable Object; or that he has been guilty of any Act of Injuſtice; or that in all or any of the Matters aforeſaid, he has been guilty of any Crime or Miſdemeanour whatſoever.

AND the ſaid Warren Haſtings ſays, that after the Expulſion of the Rajah Cheyt Sing from the Dominions of Benares, he did, without any previous Communication with the other Members of the Council, but in virtue of a competent Authority then veſted in him for that Purpoſe, nominate and appoint Rajah Mehipnarain, the next Heir to the Zemindary of Benares, to the immediate Government of the ſame, and did appoint his Father Durbedjy Sing, Adminiſtrator of his Authority, and did continue William Markham Eſquire in the Office of Reſident on the Part of the Company.

AND the ſaid Warren Haſtings denies, that any Treaty or Agreement ever ſubſiſted between the Britiſh Nation and the People of Benares, or that the ſaid People were ever conſidered as, or did in fact conſtitute a State, or independent Power; but he ſays, that the Grant whereby the ſaid Cheyt Sing held the Poſſeſſion of the ſaid Zemindary, having been forfeited as aforeſaid, it became neceſſary to form a new Settlement of the ſaid Zemindary; in conſequence of which the ſaid Warren Haſtings did, by virtue of the Authority aforeſaid, frame ſuch Regulations, and make ſuch Agreements as to him appeared neceſſary and proper. And he ſays, that the

Tribute was raiſed to the Amount ſtated in the ſaid Article; and that the Duties before impoſed upon Goods and Merchandizes were by him reduced to certain fixed Tables and Rates; but he denies, that any Meaſures adopted by him, on that Occaſion, were arbitrary or tyrannical, wanton or illegal, or were in any other Reſpect of the Nature, or attended with the Conſequences, ſtated in the Firſt Article.

AND the ſaid Warren Haſtings denies, that he did diſpoſe of, as his own, the Property within the ſaid Provinces; but he admits that he did grant Penſions to certain Perſons, who he alledges were juſtly intitled thereto: And he begs leave further to repreſent, that the Whole of his Conduct in the ſeveral Meaſures above ſpecified having been communicated by him the ſaid Warren Haſtings to the Council at Calcutta, they did fully approve of, and ratify the ſame.

AND the ſaid Warren Haſtings ſays, that he did, in the Year One thouſand Seven hundred and Eighty-two, continue his Correſpondence with William Markham Eſquire, then Reſident at Benares; and in conſequence of Repreſentations from the ſaid Reſident, that the new Rent or Tribute was then in Arrear, and that the Affairs of the Province were likely to fall into Confuſion, the ſaid Warren Haſtings being then at too great a Diſtance to conſult the other Members of the Board, and fearing that dangerous Conſequences would happen from ſuch Delay as was neceſſary for the Purpoſe of communicating with the Council, did authorize and empower him, the ſaid William Markham,

to remove the ſaid Durbedjy Sing from his Office, and to deprive him of the official Allowance for the ſame; which Meaſure being afterwards notified to the Council, together with the Reaſons for the ſame, the ſaid Council did entirely approve thereof.

AND the ſaid Warren Haſtings ſays, that in conſequence of the Repreſentations aforeſaid, and of other Information to the ſame Effect, he did direct the ſaid Markham to take proper Meaſures for preventing the Flight of the ſaid Durbedjy Sing, and the Removal of his Effects; whereupon the ſaid Markham did deem it neceſſary to confine the ſaid Durbedjy Sing in his own Houſe, in which Confinement he was afterwards continued by the Orders of the Board: And the ſaid Warren Haſtings denies that the ſaid Confinement was attended with Violence or Cruelty, or that the Nonpayment of the ſaid Tribute was only a Pretence for the ſaid Confinement; for the ſaid Warren Haſtings ſays, that the ſaid Durbedjy Sing was then conſiderably in Arrear, in reſpect of Money by him received, and due to the Company on account of the ſaid Tribute. And the ſaid Warren Haſtings further ſays, that after the ſaid Durbedjy Sing had been removed from his Office, and a Succeſſor appointed thereto, the Widow of Bulwant Sing, and the Rajah Mehipnarain, did write a Letter, in which, amongſt other Things, they did accuſe the ſaid Markham of being the Cauſe of the Delay in the Payment of the Tribute aforeſaid, and inſiſt upon the Innocence of the ſaid Durbedjy Sing. And he ſays, that having ſufficient Reaſon to believe the aforeſaid Repreſenta-

tion of the ſaid Markham to be true, and to diſbelieve the Charges brought againſt him in the ſaid Letter, he the ſaid Warren Haſtings and the Council did not deem any particular Inquiry neceſſary relative to the ſame; but he denies that he did make any Accuſation againſt the ſaid Widow of the ſaid Rajah for having preferred ſuch Charges, though he admits, that he had, prior to the Receipt of ſuch Charges, declared his Opinion of the Preſumption of the ſaid Widow and the ſaid Rajah Mehipnarain on a former and different Occaſion.

AND the ſaid Warren Haſtings further ſays, that the ſaid Durbedjy Sing was afterwards, by the Authority of the Board, and at a Period ſubſequent to the Reſignation of the ſaid Warren Haſtings, and his Departure for Europe, continued in Confinement for the ſame Cauſes which had originally rendered ſuch Confinement neceſſary.

AND the ſaid Warren Haſtings further ſays, that the ſaid Markham being authorized by him the ſaid Warren Haſtings, under the Circumſtances aforeſaid, to nominate a Naib to the Rajah in the Room of him the ſaid Durbedjy Sing, did beſtow the ſaid Office upon a certain Perſon named Jagger-Deo-Sing, who did afterwards diſtreſs and haraſs the Inhabitants of the ſaid Province; but the ſaid Warren Haſtings denies, that the ſaid Jagger-Deo-Sing was by him, the ſaid Warren Haſtings, ever obliged to diſtreſs or haraſs the Inhabitants of the ſaid Province. And the ſaid Warren Haſtings admits, that he did ſome Time in the Year One thouſand Seven hundred

hundred and Eighty-four, being then at Lucknow, recommend to the Board the Meaſure of removing the ſaid Jagger-Deo-Sing from his ſaid Office on account of certain Irregularities and Oppreſſions by him committed, and that he was accordingly removed therefrom. But the ſaid Warren Haſtings denies that the Irregularities and Oppreſſions alleged upon that Occaſion, were merely a Pretence for the Removal of the ſaid Jagger-Deo-Sing, or that they were in any Degree imputable to him the ſaid Warren Haſtings.

AND the ſaid Warren Haſtings denies that he was guilty of any arbitrary, illegal, unjuſt, or tyrannical Acts whatſoever, or that any Meaſures by him adopted or enforced, were productive of any ſuch Conſequences as are ſtated in the ſaid Firſt Article. And he further denies, that in all or any of the Premiſes, he was or is guilty of any Crime or Miſdemeanour whatſoever.

SECOND ARTICLE.

AND the ſaid Warren Haſtings, in anſwer to the ſaid Second Article, ſays, that he believes the Mother and Grandmother of the preſent Vizier, Aſſof o' Dowla, Nabob of Oude, are Women of high Rank, Family, and Diſtinction; but he has been informed, and believes, that Sufder Jung, Father of Shuja Dowla, and Grandfather of the preſent Nabob

of Oude, did not firſt obtain his Rank amongſt the Princes of India, by means of his Alliance with the Grandmother of the preſent Nabob, although that Alliance might materially contribute to his Rank and Conſequence.

AND the ſaid Warren Haſtings ſays, that the ſaid Mother and Grandmother of the ſaid Aſſof o' Dowla were in Poſſeſſion of certain Jaghires, and of certain large public Treaſures, which he has been informed and believes did belong to Shuja Dowla, late Nabob of Oude, and were the aggregate Surplus of his national Revenues, and other Funds collected to ſupply expected Emergencies, and by him depoſited in the Hands of his ſaid Wife, commonly called the Bhow Begum, as a Truſt, and for the Purpoſe of Cuſtody only, neither given to her in his Lifetime, nor bequeathed to her by Will.

AND the ſaid Warren Haſtings ſays, that Mr. Briſtow, Reſident at Oude, did, by ſundry Letters to the Governor General and Council, inform them, that he had, at the Inſtance of the Nabob Aſſof o' Dowla, then conſiderably in Debt to the Eaſt India Company, made an Application to the ſaid Bhow Begum to aſſiſt him with a Sum of Money, repreſenting, amongſt other Things, the Diſtreſſes of the ſaid Nabob, and his Right to the ſaid Treaſures.

AND the ſaid Warren Haſtings ſays, that the ſaid Briſtow did further repreſent, that the ſaid Begum did, in Anſwer to the ſaid Application, declare to the Effect in the ſaid Second Article ſtated.

AND the ſaid Warren Haſtings ſays, that the ſaid Briſtow did likewiſe repreſent, that an Agreement was afterwards concluded between the ſaid Vizier and the ſaid Begum, by the Terms of which, the Nabob acknowledged that he had taken from his Mother Thirty Lacks of Rupees, on account of preſent, and Twenty-ſix Lacks, on account of former Debts, in Specie, Goods, Jewels, Elephants, Camels, &c. from the Patrimony of his Father: That he had no further Claim on her, but renounced all further Demands on her, and engaged that he would never moleſt her in the Enjoyment of the Jaghires conferred on her by his Father, and that he would not in future demand any Loan from her: That he had no Claim on her, nor would he ever deviate from that Engagement; and to which Agreement, as to the further Contents thereof, the ſaid Warren Haſtings craves leave to refer: And the ſaid Briſtow did further repreſent, that ſuch Agreement was ſolemnly confirmed by the ſaid Vizier, and was guaranteed by him the ſaid Briſtow on the Part of the Eaſt India Company: And the ſaid Warren Haſtings admits, that the Guarantee thereof was afterwards, in November, One thouſand Seven hundred and Seventy-five, confirmed by the Governor General and Council.

AND the ſaid Warren Haſtings admits, that he was appriſed of the Nature and Extent of the ſaid Guarantee, and has declared his Senſe of the binding Force and Operation of the ſame; and that in the Year One thouſand Seven hundred and Seventy-eight, ſuch Letter, reſpecting the Protection of the ſaid Begum, was written by

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the Governor General and Council to Mr. Middleton, then Reſident at Oude, as in the ſaid Second Article is ſet forth.

AND he further admits, that the elder Begum was in Poſſeſſion of certain Jaghires and Effects; and that ſhe, in or about the Year One thouſand Seven hundred and Seventy-eight, made ſuch Application to the Governor General and Council, through the then Reſident Nathaniel Middleton Eſquire, reſpecting the ſame, as in the ſaid Second Article is ſet forth: And that the Governor General and Council, the ſaid Warren Haſtings being then Governor General, did thereupon direct the ſaid Mr. Middleton to make ſuch Repreſentation to the Nabob as is ſtated in the ſaid Article: And the ſaid Warren Haſtings does not know or believe, that any other Interferences, Powers, or Authorities, were made, given, granted, or confirmed by the ſaid Governor General and the ſaid Council for the Purpoſe aforeſaid; and he denies that any Guarantee of the Britiſh Nation, or any Guarantee of any Kind whatſoever, was by the Reſident under the Authority of the ſaid Warren Haſtings ever pledged to the ſaid elder Begum for her Protection; and the ſaid Warren Haſtings ſays, that on the Third of July, One thouſand Seven hundred and Eighty-one, it being then deemed neceſſary that the ſaid Warren Haſtings ſhould viſit the Dominions of the Vizier, and the Board of Council at Calcutta, by the Abſence of the Commander in Chief, then conſiſting of himſelf and Mr. Wheler only, he did, by a Minute then entered on the Conſultations at Bengal, taking Notice of his intended

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Departure, declare that Mr. Wheler, during his Abſence, "would be by the Conſtitution "poſſeſſed of the full Powers of the Governor "General and Council of that Government;" and that afterwards an Order was made by the Governor General and Council at Fort William, "That all ſuch Orders as the ſaid Warren "Haſtings ſhould think it proper to iſſue to the "Troops ſtationed beyond the Provinces, as "well in the Dominions of the Nabob Vizier "as thoſe which are ſituated beyond them, "ſhould be obeyed; and that his ſingle Autho-"rity ſhould be conſidered and received as of "the ſame Force as that of the Governor Ge-"neral and Council collectively, until that "Order ſhould be revoked." And it was further ordered, "That the Military Power veſt-"ed in the ſaid Warren Haſtings as Governor "and Commander in Chief of the Fortreſs of "Fort William and Town of Calcutta, ſhould "be exerciſed by Edward Wheler Equire, "during the Abſence of the Governor Ge-"neral." And the ſaid Warren Haſtings ſays, that he did not then, or at any other Time, confer upon himſelf a full and complete Delegation of the whole Power and Authority of the Governor General and Council of Fort William, nor was ſuch whole Power or Authority ever in any Manner conferred upon, or delegated to him; but the ſaid Warren Haſtings ſays, that certain Powers, which were in the then State of public Affairs deemed proper and neceſſary, were veſted in him on that Occaſion by certain Credentials given to him under a Reſolution of the Board, made on the ſaid Third of July, One thouſand Seven hundred and Eighty-one, and to

which

which he craves Leave to refer. And the ſaid Warren Haſtings denies, that the Powers, Authority, or Command, ſo conferred upon him, were conferred upon him by himſelf, or by his ſole Authority, apart from, or independent of that of the Governor General and Council; or that the Powers, Authority, or Command, ſo conferred, were in any Manner illegal or unwarrantable, or contrary to his Duty, or to the Nature of the Powers antecedently veſted in him. And the ſaid Warren Haſtings ſays, that the ſaid John Briſtow Eſquire, who had been nominated and appointed by the Court of Directors to be the Reſident at the Court of Oude, was, after ſuch Nomination and Appointment thereto, recalled by the Governor General and Council of Bengal, for Reaſons of public Expedience then warranting ſuch Recal.

AND the ſaid Warren Haſtings denies, that he did ever arrogate to himſelf alone the Right of appointing a Reſident at the Court of Oude, or that he ever inveſted the ſaid Nathaniel Middleton with the ſaid Office by his ſole Authority, and without the Concurrence of the reſt of the Council; but he ſays, that the ſaid Nathaniel Middleton was inveſted therewith by the Appointment of the Governor General and Council, with the Powers uſually annexed to that Office.

AND the ſaid Warren Haſtings denies, that the Nabob of Oude was dependent upon, or under the Controul of the Governor General of Bengal: And he further denies, that he did by all, or any of the ſuppoſed Means ſtated in

the

the ſaid Article, or by any other, render himſelf reſponſible, or that he was in fact reſponſible, for the good Government of the Dominions of the ſaid Nabob.

AND the ſaid Warren Haſtings admits, that he was bound by the Ties of Juſtice and good Faith, by the Duties of his Office, and the Truſt repoſed in him, to adhere to Treaties entered into, and guaranteed by the Eaſt India Company, or the Britiſh Nation, and to attend to the Happineſs and Security of the Properties, Poſſeſſions, Liberties, and Lives of thoſe who were ſubject to the Britiſh Power in India.

AND the ſaid Warren Haſtings ſays, that under the above-mentioned Delegation of Authority, which he avers was legally made to him, he did, in the Proſecution of certain Objects mentioned in his Minute, dated the Twenty-firſt Day of May, in the Year One thouſand Seven hundred and Eighty-one, undertake a Journey to the Upper Provinces, and did meet the aforeſaid Nabob of Oude at a certain Place called Chunar, and did there enter into a Treaty or Agreement with the ſaid Nabob, called the Treaty of Chunar; by which Treaty, after reciting, that great Diſtreſs had ariſen to the Nabob's Government from the Military Power and Dominion aſſumed by the Jaghiredars, it was amongſt other Things agreed, "that the ſaid Nabob ſhould be permitted to reſume ſuch Jaghires as he ſhould "find neceſſary, with a Reſerve for all ſuch, "for the Amount of whoſe Jaghires the Com-

" pany were Guarantees, who ſhould, in caſe
" of the Reſumption of their Lands, be paid the
" Amount of their net Collections through the
" Reſident in Money;" but the ſaid Warren Haſtings denies, that by entering into a Treaty containing ſuch Permiſſion as aforeſaid, he was guilty of any Violation of his Duty, or of the Faith of any Treaties, of the Sanction of the Company's Guarantee, or of any Diſregard to Juſtice or good Faith, or that the ſame was by him entered into in any Manner wickedly, corruptly, or maliciouſly. And the ſaid Warren Haſtings avers, that at the Time of executing the ſaid Treaty, he had ſufficient Reaſon to believe, and did believe, that the Begums had been guilty of ſuch Acts of public Miſconduct, as reaſonably and juſtly warranted the making of that Treaty, ſo far as the ſame reſpected the ſaid Begums.

AND the ſaid Warren Haſtings denies, that he did ever inveſt the ſaid Middleton with almoſt an abſolute, or with any Authority over the Dominions of the ſaid Nabob: And he further denies, that the ſaid Nabob was by him, the ſaid Warren Haſtings, compelled to become, or ever did become, the Inſtrument of Outrage or Extortion againſt his own Parents; or that he did force the ſaid Nabob to yield Acquieſcence to the Deſires of him the ſaid Warren Haſtings, or did force the ſaid Nabob to iſſue his own Orders for the Purpoſes in the ſaid Second Article ſtated. And the ſaid Warren Haſtings avers, that the Reſumption of the ſaid Eſtates and Jaghires was, in the then Situation of Affairs, a juſt, neceſſary, and expedient Mea-

Meaſure, as well on the Part of the Nabob, as of the Eaſt India Company; and he admits, that the ſame was carried into Effect, in a great Degree, by and with the Approbation and Concurrence of him the ſaid Warren Haſtings; but he ſays, that he neither directly nor indirectly approved or concurred in the Uſe of any Cruelty for the Purpoſe of carrying the ſame into Effect, nor does he believe that any ſuch Cruelty was ever uſed, nor did he approve or concur in the Uſe of any further Violence than was neceſſary to enable the Nabob to accompliſh what the ſaid Warren Haſtings then deemed, and ſtill deems, to have been a neceſſary and juſtifiable Purpoſe. And the ſaid Warren Haſtings denies that the ſaid Meaſure was of the Nature, or did produce the Effects, or Conſequences, ſtated in the ſaid Second Article. And the ſaid Warren Haſtings ſays, that after the ſaid Meaſure had been fully carried into Execution, he did, from a Conviction of its Propriety, with the Approbation of the Board, direct the Reſident of Oude to uſe his Influence with the Nabob, to prevent any Reſtoration of the Jaghires till the Board ſhould be fully appriſed of his Intentions on that Subject. And the ſaid Warren Haſtings ſays, he has been informed, and believes, that the Eſtates and Jaghires ſo reſumed, were firſt aſſigned by the ſaid Nabob to the Reſident in Part-payment of real and juſt, and not a pretended or colourable Debt of the ſaid Nabob to the Company, and that they were finally mortgaged to Shroffs for the Purpoſe of diſcharging the ſaid Debt. And the ſaid Warren Haſtings ſays, that Steps were taken, by the Authority of the ſaid War-

ren Haſtings and the reſt of the Board at Calcutta, to procure the Amount of the ſaid Jaghires to be paid to the ſaid Begums; and he denies that the ſaid Begums were by theſe Acts reduced to Difficulty, Diſtreſs, or Want.

AND the ſaid Warren Haſtings denies, that by all or any of the Acts or Proceedings, or by the Means of effecting the ſame above ſtated, he was or is guilty of any Violation of the Guarantee of the ſaid Britiſh Nation, or of any Breach of the Treaty of Chunar, or of any Fraud, Violence, Extortion, or Injuſtice, or of any Crime or Miſdemeanour whatſoever.

AND the ſaid Warren Haſtings ſays, that he did, in the Exerciſe of the Powers legally delegated to him as aforeſaid, and not in Violation of any Engagements, nor upon any Pretence falſe, frivolous, wicked, or malicious, communicate to Mr. Middleton the Reſident at the Court of Oude, through Sir Elijah Impey, in the ſaid Second Article mentioned, his Approbation of a Reſolution which the Nabob had formed to reſume the Treaſures belonging to the late Vizier, in the Poſſeſſion, not of the ſaid Begums, but of the Bhow Begum only, and to appropriate the ſame to the Diſcharge of his the ſaid Nabob Aſſof o' Dowla's Debt to the Eaſt India Company; which Meaſure was, in the Judgment of the ſaid Warren Haſtings, expedient, juſt, and neceſſary: And he denies that any Order, by him given in reſpect to the ſaid Reſolution, was forced upon the ſaid Nabob; or that his Conſent thereto was obtained in the Manner ſtated in the ſaid Second Article.

AND

AND the ſaid Warren Haſtings further ſays, that the ſaid Begums being in Poſſeſſion of a conſiderable Force, and having made Declarations which denoted an Intention to reſiſt the Troops of the ſaid Nabob, unleſs the ſame ſhould be aſſiſted by the Troops of the Company, the ſaid Warren Haſtings did, in a Letter from him the ſaid Warren Haſtings to the ſaid Nathaniel Middleton, dated Twenty-ſixth December, One thouſand Seven hundred and Eighty-one, give ſuch Orders as appeared to him proper and neceſſary for aſſiſting the ſaid Vizier in the Recovery of the ſaid Treaſure; and he admits that the ſaid Letter did, among other Things, contain Expreſſions to the Effect ſtated in the ſaid Second Article, but to which, for the whole of the Orders by him given upon that Occaſion, he craves leave to refer: And he denies that he did thereby, or by any other Order, ſtimulate or encourage the ſaid Nathaniel Middleton to any Degree of Outrage or improper Severity, but on the contrary he avers that he did, in the ſaid Letter, declare to the ſaid Nathaniel Middleton that it muſt be his Care to prevent an Abuſe of the Powers given to thoſe employed in the ſaid Service, and that he himſelf ought to be perſonally preſent.

AND the ſaid Warren Haſtings denies that he did order a large Force to be marched into the Territories of the ſaid Vizier without any Requeſt from him for that Purpoſe, or contrary to his Deſire and Inclination; but the ſaid Warren Haſtings ſays, that the ſaid Nathaniel Middleton did, by a Letter addreſſed to the ſaid Warren Haſtings, and dated the Nineteenth Decem-

December, One thouſand Seven hundred and Eighty-one, repreſent as follows: "The Nabob "Vizier having appointed an Aumil to take "charge of the Begum's Jaghires, ſhe has, it "appears, prepared a large Body of Troops "with a ſuppoſed Deſign to reſiſt them, a vio-"lent and threatening Letter which I have juſt "received from the Begum, would ſeem to leave "no Doubt of her Intentions to ſupport the "already declared Licentiouſneſs of her Ser-"vants in oppoſing the Nabob's Orders. I have, "therefore, been obliged to join my Solicita-"tions to the Vizier's for obtaining a Regiment "from Colonel Morgan to ſupport the Aumil "in the Execution of his Excellency's Com-"mand; and I may add, that unleſs my Judg-"ment far miſleads me, we ſhall be in want of "ſtill farther Aid before the Meaſure of reſum-"ing the Jaghires ſhall become fully eſtabliſhed, "and the Country reſtored to that State of "Tranquillity and Subordination which it en-"joyed before the Contagion ſpread by Cheyt "Sing's Machinations." Whereupon the ſaid Warren Haſtings did direct Four Regiments of Sepoys to be marched to ſupport the Authority of the Vizier, and maintain the Tranquillity of his Country by ſuch Means as the ſaid Vizier ſhould think proper to direct: And the ſaid Warren Haſtings further ſays, that the ſaid Nathaniel Middleton having afterwards repreſented to the ſaid Warren Haſtings, that the ſaid Nabob might object to ſo great an additional Force, the ſaid Order was countermanded, and One Regiment only was ſent on the ſaid Service.

AND

AND the ſaid Warren Haſtings further ſays, that he has been informed that the ſaid Mr. Middleton did, in conſequence of the aforeſaid Order, proceed with the ſaid Nabob to the City of Fyzabad, where the ſaid Begums and their Troops then were, with a Regiment belonging to the ſaid Company, and a Body of Troops belonging to the ſaid Nabob; the whole of which laſt-mentioned Force acted under the Authority and Orders of the ſaid Nabob in the Proſecution of the ſaid Service: And the ſaid Warren Haſtings further ſays, that having been afterwards informed by a Letter from Major Naylor, who then commanded the ſaid Regiment belonging to the ſaid Company, that Two Days had paſſed in Negociation, but without Effect, during which Time the Party in the Town had collected and hourly gained Strength; and that after mature Deliberation it had been reſolved to ſtorm the Town; he the ſaid Warren Haſtings did, on the Ground of ſuch Repreſentation, charge the ſaid Nathaniel Middleton with improper Delay in having ſuffered ſuch Time to paſs in Negociation, contrary to the ſaid Orders of him the ſaid Warren Haſtings: And the ſaid Warren Haſtings ſays, that he has been informed that the ſaid City was, by the ſaid Force under the Orders and Authority of the ſaid Nabob, taken by the ſaid Force; and that the Citadel, in which the ſaid Begums reſided, was ſecured: And the ſaid Warren Haſtings, denying that his ſaid Orders did authorize any improper Violence, or any Cruelty or Extortion, and declaring that he does not know or believe that any ſuch were committed by any Perſons acting

ing under his Orders, or that the Diſcovery of the ſaid Treaſure was extorted in the Manner or by the Means in the ſaid Second Article ſtated, further ſays, he has been informed that the Two principal Eunuchs belonging to the ſaid Begum were at the Head of the Force within the ſaid Town, and did, on the ſame being taken as aforeſaid, ſurrender themſelves to the ſaid Nabob, and were by him delivered over to the Charge of the Company's Troops acting as aforeſaid, on certain criminal Charges exhibited againſt them by the ſaid Nabob, who did not think it ſafe or prudent to truſt them in the Cuſtody of his own Sepoys. And the ſaid Warren Haſtings further ſays, that it was repreſented to him, that an Agreement having been made between the ſaid Begum and the ſaid Nabob, relative to his Demand on the ſaid Treaſure, the ſaid Eunuchs did enter into a Security for the Sum of Money agreed to be paid by the ſaid Begum in Diſcharge thereof, and that a conſiderable Part of the ſaid Sum was produced by the ſaid Eunuchs from Places of Concealment, and paid to the ſaid Nabob; and that Securities for the Remainder were given by the ſaid Eunuchs, to the ſaid Nabob. And the ſaid Warren Haſtings further ſays, that the Sum ſo paid to the Nabob, and the ſaid Securities, were transferred to the Reſident by the ſaid Nabob on account of his Debt to the Company. And the ſaid Warren Haſtings ſays, he has been further informed that the ſaid Securities not being paid when due, the ſaid Eunuchs were, by Order of the Nabob, put under Reſtraint for the Recovery of the ſaid Sums, and were at length diſcharged without having fully performed the

ſaid Engagement. And the ſaid Warren Haſtings denies that the ſaid Eunuchs were compelled by the ſaid Middleton, or his Aſſiſtant Reſident Johnſon, to enter into the ſaid Securities in proſecution of any Orders of him the ſaid Warren Haſtings, for the Purpoſes in the ſaid Article mentioned, or in order to ſatisfy any unjuſt, oppreſſive, or rapacious Demands of him the ſaid Warren Haſtings; and he does not know or believe that the ſaid Securities were in fact obtained by Compulſion by the ſaid Middleton, or the ſaid Johnſon, or that the ſaid Middleton, or the ſaid Johnſon, did extort Payment of the ſame, or of any Part thereof, in the Manner and under the Circumſtances in the ſaid Article mentioned, or that they did in any Manner extort ſuch Payment.

AND the ſaid Warren Haſtings has been informed that a Sale, or pretended Sale, was made of ſome of the Effects of the ſaid Begum towards the Payment of the ſaid Sum agreed to be paid to the Nabob. And the ſaid Warren Haſtings denies that all or any of the ſaid Tranſactions, ſo far as the ſaid Warren Haſtings, by any Act of his own, or by any Orders given by him, was concerned in the ſame, were conducted with any Circumſtances of Atrocity, or were the Means of producing any of the Effects on the ſaid Begums in the ſaid Second Article ſet forth, or were in any Manner diſgraceful to the Britiſh Name and Character.

AND as to ſo much of the ſaid Second Article, as relates to the Women and Children of the late Nabob Shuja Dowla, the ſaid

Warren Haſtings denies that they were in any Manner dependent upon both, or either of the ſaid Begums; but he ſays, that the ſaid Women, who were moſtly Perſons of low Condition, and the ſaid Children, if any ſuch there were, lived in the Khourd Mhal, on an Eſtabliſhment entirely diſtinct from the ſaid Begums, and were dependent for their Support ſolely on the ſaid Nabob Vizier, by whom a Tuncaw, or Aſſignment, was granted on the Fouſdarry of Sultanpore for their Support: And he ſays, the Receipt and Application of the Produce of the ſaid Tuncaw were entirely entruſted to Officers appointed by the ſaid Vizier, without any Interference whatſoever on the Part of the Engliſh Government: And the ſaid Warren Haſtings has heard, that, from Neglect in the Officers of the ſaid Vizier, the Perſons reſiding in the ſaid Khourd Mhal have ſuffered occaſional Diſtreſs; but the ſaid Warren Haſtings denies, that ſuch Diſtreſs did in any reſpect proceed from any ſuch Cauſes as are in the ſaid Second Article ſet forth; or that ſuch Perſons were, by ſuch Means as are in the ſaid Article ſtated, or by any Means, made, uſed, authorized, or permitted, by the ſaid Warren Haſtings, reduced to the Want of the Neceſſaries of Life, or expoſed to any of the Circumſtances of Shame, or Cruelty, which are enumerated in the ſaid Second Article; or that, to his Knowledge or Belief, any ſuch Circumſtances did at any Time in fact take place: And the ſaid Warren Haſtings further denies, that he is in any Manner reſponſible for any Circumſtances of Cruelty or Barbarity, if any ſuch did exiſt; or that any ſuch were the Conſequences of any

Powers

Powers assumed, or Orders given, by the said Warren Hastings; or that he did assume any illegal Powers, or give any atrocious or unjust Orders whatsoever.

AND as to so much of the said Second Article as states, "that many of the said Severi-
" ties and Cruelties," in the said Article stated,
" being made known to the said Warren Ha-
" stings, by the Resident or others; and that
" he (the said Warren Hastings), although
" informed of the same, did take no Steps for
" the Redress of the said Cruelties, but, on the
" contrary, did declare the same to be justly
" merited, and did stimulate and encourage his
" Agents and others to continue and enforce
" the same;" the said Warren Hastings says, that the only Declaration made by him, relative to any of such Subjects, is contained in the Instructions given by the said Warren Hastings, conformably to a Reference from the Board of Council, and with their Knowledge and Approbation, on the Twenty-third of October, in the Year One thousand Seven hundred and Eighty-two; and which is as follows:

" THE Severities which have been exer-
" cised towards the Begums were most justly me-
" rited, by the Advantage which they took of
" the Troubles in which I was personally in-
" volved the last Year, to excite a Rebellion in
" the Nabob's Government, and to complete
" the Ruin which they thought was impend-
" ing on ours."

AND the ſaid Warren Haſtings denies that the ſaid Declaration did, or could relate to any Severities exerciſed towards, or Diſtreſſes ſuffered by, the Perſons reſiding in the ſaid Khourd Mhal, or that he did ever ſtimulate or encourage his Agents, or any Perſons whatſoever, to continue or enforce ſuch Severities or Diſtreſſes. And the ſaid Warren Haſtings ſays, that he had not, at the Time of making the ſaid Declaration, nor for above Nine Months after the ſaid Declaration was made, received any Information, or Accounts of any Kind, nor had any ſuch been ſent, nor had he any Knowledge whatſoever, relative to any Diſtreſſes, or Sufferings, of any of the ſaid Perſons belonging to the ſaid Khourd Mhal; the Firſt Intelligence received by the ſaid Warren Haſtings, relative thereto, being in the Month of Auguſt, One thouſand Seven hundred and Eighty-three, when various Complaints having been preferred to the Board againſt the ſaid Briſtow, by the Vizier and Hyder Beg Khan, the ſaid Briſtow did, in order to criminate the ſaid Vizier and Hyder Beg Khan, incloſe in a Letter, bearing Date the Thirtieth July, One thouſand Seven hundred and Eighty-three, addreſſed to the Board, certain Letters and Papers relative to the Diſtreſſes of the ſaid Perſons in the Khourd Mhal, which Diſtreſſes were repreſented to have happened in the Months of March and October, One thouſand Seven hundred and Eighty-two, and to have been afterwards relieved at the Inſtance of the ſaid Briſtow, by the ſaid Vizier: And the ſaid Warren Haſtings denies that all or any of the ſuppoſed Actings, Doings,

and

and Proceedings, by him the ſaid Warren Haſtings, or by his ſuppoſed Authority, Council, Connivance, or Neglect, done, perpetrated, or omitted, were of the Nature, or productive of the Effects, or accompliſhed by the Means, in the ſaid Article mentioned, or that he is in all or any of the ſeveral Reſpects above mentioned guilty of any Crime or Miſdemeanour.

AND the ſaid Warren Haſtings denies that he ever endeavoured to ſet up any falſe, frivolous, wicked, or malicious Pretences, in Juſtification of any Acts of him the ſaid Warren Haſtings, or that he ever attempted to impoſe any ſuch upon the Directors of the Eaſt India Company, or the Britiſh Nation, or that he ever brought any malicious or unfounded Accuſations againſt the ſaid Begums, or that he has ever endeavoured to ſupport ſuch Accuſations as were brought againſt them, by any Means diſgraceful to the Britiſh Government, or by any Proſtitution of the Character of Britiſh Juſtice in India. And the ſaid Warren Haſtings denies that he did ſtifle, or in any Manner unduly prevent, an Enquiry into the Crimes charged againſt the ſaid Begums, or that he was bound to make ſuch Enquiry in Conſequence of any Declarations or Directions of the Court of Directors, or that the ſaid Court did make ſuch Declarations, or ſend ſuch Directions relative thereto, as are in the ſaid Second Article mentioned. And the ſaid Warren Haſtings admits, that inaſmuch as he did not apprehend that an Enquiry, for the Purpoſe above ſtated, was either commanded by the ſaid Direc-

Directors, or in any Manner neceſſary or expedient to be made, he did vote againſt a Propoſition made by Mr. Stables for that Purpoſe; but he denies that he did thereby endeavour to paſs an Act of Indemnity for his own Crimes, he, the ſaid Warren Haſtings, not being conſcious of any Crimes requiring ſuch Indemnity; nor did inſult the Sufferings of any Allies of the Company, nor ſhew a Contempt of the Authority or Opinion of the Court of Directors. And the ſaid Warren Haſtings, as to the Matter of Aggravation in the Second Article, laſtly ſuggeſted, denies that all or any of his Acts did originate in any Corruption whatſoever, or did originate in, or were in any Manner influenced by, the ſuppoſed Preſent or Bribe, in the ſaid Second Article mentioned, or that he the ſaid Warren Haſtings did, at or about the Time of executing the ſaid Treaty at Chunar, or at any other Time, accept or take to his own Uſe a Preſent or Bribe of One hundred thouſand Pounds, or of any other Sum, from the ſaid Nabob of Oude, or that he did in any Manner act contrary to his Duty, the Orders of his Maſters, or the poſitive Directions of Law, or to the Diſcredit, Diſgrace, or Diſhonour of the Britiſh Name or Character.

THIRD

THIRD ARTICLE.

IN Anſwer to the Third Article, the ſaid Warren Haſtings ſays, he has been informed that an ancient Friendſhip did ſubſiſt between the Nabob Shuja Dowla, Vizier of the Empire, and the Houſe of Muzuffer Jung, in the ſaid Third Article mentioned; but whether any and what Treaties in particular were entered into between the ſaid Shuja Dowla and Ahmud Khan, the ſaid Warren Haſtings does not know nor can ſet forth; he believes, however, that the ſaid Ahmud Khan was a Chief of the Nation of Affghans or Patans, of ſuch Family, and whoſe Anceſtors filled ſuch Station in the Annals of Indoſtan, as is ſtated in the ſaid Third Article: But the ſaid Warren Haſtings ſays, that he does not know or believe that the Anceſtors of the ſaid Ahmud Khan have been, from an early Period, or ever were, Friends, or Allies, of the Britiſh Power in India.

AND the ſaid Warren Haſtings ſays, That he does not know nor is informed whether, "during the Life of the ſaid Ahmud Khan, the "ſaid Shuja Dowla did unjuſtly withhold and "retain Poſſeſſion of certain Territories which "did of Right belong to the ſaid Ahmud "Khan," nor whether he and his Son and Succeſſor Aſſof o' Dowla, or either of them, did, under Pretext of Friendſhip, Protection, and Guardian-

Guardianſhip of Muzuffer Jung, Son and Succeſſor to the ſaid Ahmud Khan, make new and repeated Invaſions of the Rights and Poſſeſſions of the ſaid Muzuffer Jung, during his Minority, nor whether they did fraudulently obtain from the ſaid Muzuffer Jung, an Inſtrument, or pretended Inſtrument or Treaty, derogatory to former Treaties, and the Rights of Muzuffer Jung; but he has heard and believes that a Treaty was entered into between the ſaid Aſſof o' Dowla and the ſaid Muzuffer Jung, ſometime in the Year One thouſand Seven hundred and Seventy-five; and that the ſaid Aſſof o' Dowla did appoint and place an Officer called a Sezawel in the Territories of the ſaid Muzuffer Jung. And the ſaid Warren Haſtings ſays, he has been informed that the Sezawel ſo appointed was ſevere in the Exerciſe of his Authority, in the Collecttion of the Tribute ſtipulated to be paid by the ſaid Treaty; and the ſaid Warren Haſtings admits that he has expreſſed Doubts of the original Juſtice of that Tribute; but the ſaid Warren Haſtings does not know, nor can ſtate whether the ſevere Exerciſe of the Authority of ſuch Sezawel might or might not have been a Cauſe of Ruin to the Country; but he admits it to have occaſioned many Complaints from the ſaid Muzuffer Jung; and he alſo admits that the Amount of that Tribute has for ſome Time continued a Part of the Funds aſſigned by the ſaid Vizier, as a Proviſion for the ſeveral public Demands of the Eaſt India Company, on him the ſaid Vizier; and that he the ſaid Warren Haſtings did, on the Twenty-ſecond of May, One thouſand Seven hundred and Eighty, in order to relieve the ſaid

Muzuffer Jung from the Indignity and Hardſhips of which he complained, propoſe, and the Board of Council of Bengal did, upon the Motion of him the ſaid Warren Haſtings, reſolve, "That One of the Company's Civil Servants "ſhould be forthwith appointed Collector of "the Vizier's Aſſignments to the Company, "on the Revenues of the Nabob of Furruckabad, with the ſame Allowances and the ſame "Powers as had been given to the Native "Sezawel; and that he ſhould be ordered to "proceed with all poſſible Expedition to Luc-"know, where he would be inveſted by the Re-"ſident with the Charge of that Office, and "receive from him the neceſſary Inſtructions "for his Conduct in the Diſcharge of the ſame." And the ſaid Warren Haſtings admits that he did propoſe, and that the Board did adopt, the ſaid Meaſure, upon ſuch Reaſons, and for ſuch Purpoſes, amongſt others, as are in the ſaid Third Article ſtated; and that Mr. Shee was, in conſequence thereof, appointed to the Office aforeſaid: But the ſaidWarren Haſtings denies that the ſaid Muzuffer Jung was, by the aforeſaid, or any Acts, or by any Powers or Authorities given or authorized by him the ſaid Warren Haſtings, completely taken under the Protection of the Eaſt India Company, or that the ſaid Company, and their Servants and Repreſentatives, or that he the ſaid Warren Haſtings, as Governor General, ever became reſponſible for the Government of the Territories of the ſaid Muzuffer Jung, or were ſubject to ſuch Obligations as are in the ſaid Third Article ſtated.

AND the ſaid Warren Haſtings ſays, That he did, ſoon after the Execution of the Treaty of Chunar, declare, " that if Muzuffer Jung " muſt endure Oppreſſion, and he the ſaid " Warren Haſtings dared not, at that Time, " propoſe his total Relief, it concerned the " Reputation of the Eaſt India Company's " Government to remove their Participation " in it." And that he did, at the ſame Time, alledge, " that Mr. Shee's Authority over the " Territory of Furrukkabad was in itſelf as " much ſubverſive of that of its lawful Ruler " as that of the Vizier's Aumil, or Sezawel, " ever was; and was the more oppreſſive as " the Power from which it was derived was " greater." And which ſeveral Propoſitions, made in the Terms laſt ſtated, the ſaid Warren Haſtings maintains to be true. And the ſaid Warren Haſtings ſays, that he did aſſert, as the Fact was, and not falſely pretend, that Muzuffer Jung was equally anxious with the Vizier for the Recal of the ſaid Shee; and that he did aſſert, as the Fact was, and not falſely pretend, that it was the Deſire of him the ſaid Warren Haſtings, that a proper Guardian ſhould be ſelected for the ſaid Muzuffer Jung from amongſt the ancient Dependants of his Family, if any ſuch could have been found. And the ſaid Warren Haſtings denies, that the Treaty of Chunar, hereinafter mentioned, was entered into by him upon any falſe Pretences whatſoever, or in the Exerciſe of any illegal Authority, or under the Influence of any ſuch ſuppoſed Bribe as in the ſaid Third Article is ſtated.

AND

AND the ſaid Warren Haſtings, as to the ſaid ſuppoſed Bribe in the ſaid Third Article mentioned, craves Leave to refer to his Anſwer in this Behalf hereinafter made. And the ſaid Warren Haſtings admits that he did enter into a Treaty at Chunar with the ſaid Nabob of Oude, in which Treaty was contained a Stipulation that no Britiſh Reſident ſhould be appointed at Furruckabad, and that the then Reſident there ſhould be recalled; but he humbly inſiſts that ſuch Stipulation was, in the then Situation of the contracting Parties, and of Muzuffer Jung himſelf, proper and expedient to be made. And the ſaid Warren Haſtings denies that he did by that Treaty abandon the Country of Furruckabad, or deliver over the Prince thereof to the Rapacity of the Vizier and his Servants. And the ſaid Warren Haſtings, denying that he ever pretended that the ſaid Shee had been perſonally guilty of any Oppreſſion, or that he ever accuſed the ſaid Shee thereof, admits that he has never attempted to bring the ſaid Shee to Trial for any Offence of that Nature; and that the ſaid Shee ſoon after his Recal having applied to the Governor General and Council, taking Notice of an Order made by the Board for allowing the Company's Servants removed from their Offices in conſequence of ſome late Arrangements, to draw the ſame Allowances as they had before drawn, until they ſhould be appointed to other Offices, or until the Board ſhould be pleaſed to withdraw that Indulgence; and having at the ſame Time repreſented to the Board that he had not, ſince the general Arrangements in the Vizier's Country had rendered his Removal from Office neceſſary, received any

ſuch Allowances from the Company, the ſaid Shee prayed that the ſame Salary which Revenue Collectors uſually received might be granted him; and that it was thereupon agreed by the Board that Mr. Shee ſhould be allowed the ſame Salary as had been granted to the Revenue Collectors, and that he ſhould draw it from the Time of his Removal from his late Office. And the ſaid Warren Haſtings denies that any Penſion was otherwiſe, or in any other Manner, conferred upon the ſaid Shee, than is herein before ſtated. And the ſaid Warren Haſtings ſays, that at a Board of Council held on the Ninth of December, One thouſand Seven hundred and Eighty-three, the ſaid Shee was upon the Recommendation of Mr. Wheler, a Member of the ſaid Board, appointed Judge of the Dewany Adawlut at Dacca, in the Room of Mr. Duncanſon, deceaſed. But the ſaid Warren Haſtings denies that the ſaid Office was conferred by him alone, or upon his own Motion, or in any other Manner than is above ſtated.

AND the ſaid Warren Haſtings avers, that the alledged Grounds of the ſaid Treaty were founded in Truth, and that there is no ſufficient Reaſon to diſbelieve the ſame, or to conclude, as by the ſaid Article is alledged, that the ſuppoſed Bribe above mentioned was the real Ground of the ſaid Treaty. And the ſaid Warren Haſtings ſolemnly denies the ſame ſo to have been. And the ſaid Warren Haſtings denies that it was meant by the ſaid Treaty that the ſaid Vizier ſhould have an uncontrolled Authority over Furrukkabad, or that any other Proviſion or Stipulation was therein contained relative to

Furruk-

Furrukkabad than that herein before mentioned. But he admits that the ſaid Vizier did ſhortly afterwards appoint a Perſon named Almaſs Ali Cawn to manage the Affairs of Furrukkabad; and that the ſaid Warren Haſtings did thereupon repreſent to the ſaid Vizier the Impropriety of ſuch his Appointment, and requeſt of him to direct his Miniſters to refrain from all kind of Interference in the internal Management of Furrukkabad. He denies, however, that he did compel the ſaid Vizier to recal that Appointment, or that he did in that Reſpect, or in any other Manner whatſoever, violate the Treaty of Chunar.

AND the ſaid Warren Haſtings admits, that he did, about the Month of November, One thouſand Seven hundred and Eighty-one, ſuggeſt to the ſaid Muzuffer Jung, that as he would be then left in the uncontrolled Management of his own Affairs, it would be incumbent on him to give the ſtricteſt Attention to them both for his own Honour and Intereſt, and the Welfare of his People; to effect which Purpoſes the ſaid Warren Haſtings did recommend to the ſaid Muzuffer Jung to employ able Men of approved good Character; and did further ſuggeſt, that Subghut Oolly Cawn, his Vakeel, had been with the ſaid Warren Haſtings for Years, and appeared to have conducted himſelf with Fidelity and Attachment, and, as the ſaid Warren Haſtings underſtood, was much employed and truſted by the Father of the ſaid Muzuffer Jung; that his Services intitled him to Reward and Conſideration from him the ſaid Muzuffer Jung; and that his Zeal and Abilities, if placed

in

in a proper Situation, might produce important Advantages to himſelf and his Country.

AND the ſaid Warren Haſtings denies, that the Suggeſtion thus made in favour of Subghut Oolla, involved any Contradiction to the Reaſons before given by him for the Appointment of Mr. Shee, the ſaid Subghut Oolla not being one of the ſaid Muzuffer Jung's Servants, to whom the ſaid Warren Haſtings had before imputed either Knavery or Corruption.

AND the ſaid Warren Haſtings denies that he did, about the Time laſt mentioned, or at any other Time whatſoever, render himſelf, nor did he ever become, reſponſible to the ſaid Vizier for the Payment of the Tribute payable to the ſaid Vizier by Muzuffer Jung; but he admits, that the ſaid Tribute was not paid by the ſaid Subghut Oolla to the ſaid Vizier: He denies, however, that he, the ſaid Warren Haſtings, was, in reſpect thereof, guilty of any Breach of Faith to the ſaid Vizier.

AND the ſaid Warren Haſtings ſays, that in conſequence of the Non-payment of the ſaid Tribute, and other Miſconduct of the ſaid Subghut Oolla, and of a Declaration which the ſaid Warren Haſtings underſtood the ſaid Subghut Oolla to have made, and which he believed to be falſe and ſcandalous, the ſaid Warren Haſtings did, on the Twenty-ſeventh of April, One thouſand Seven hundred and Eighty-two, write the following Letter to the ſaid Muzuffer Jung: "I "lately learnt that Subghut Oolla Khan has told "you, that he was obliged to give large Sums

"in

" in Bribes to the Engliſh Gentlemen, for pro-
" curing the Releaſe of your Country, and that
" he demands Aſſignments of a Sum as far as
" Six Lacks of Rupees. This is entirely falſe—
" Out of Regard to the Juſtice and Wiſdom
" of the Vizier, I with Labour and Difficulty
" procured the Relinquiſhment of it from his
" Highneſs, and the Removal of his Aumil,
" on this Condition, that you ſhould pay duly
" the Rent payable to the Nabob's Government,
" according to the Kiſts; and I delivered the
" Country into your Hands.—From this Tranſ-
" action I had expected Reputation to myſelf;
" but, on the contrary, I am now diſgraced.
" Such Conduct in Subghut Oolla Khan deſerves
" ſevere Puniſhment, and makes him unfit to
" be any longer truſted; and you will therefore
" make him reſtore what Money he may have
" taken, and never ſuffer him to be again em-
" ployed in the Affairs of your Government.—
" I write this from my Friendſhip."

AND the ſaid Warren Haſtings ſays, that having afterwards received from the ſaid Muzuffer Jung a Letter in favour of the ſaid Subghut Oolla; declaring, that the ſaid Subghut Oolla had not made any ſuch Declaration as had been reported, and that it was certain the ſaid Subghut Oolla had not given One Rupee to any Gentleman; the ſaid Warren Haſtings did not further interfere to procure the ſaid Subghut Oolla's Diſmiſſion, or the Subſtitution of any other Perſon in his Place.

AND the ſaid Warren Haſtings ſays, that the Board at Calcutta did, by a Letter dated the Eleventh

Eleventh of July, One thouſand Seven hundred and Eighty-two, addreſſed to Mr. Middleton then Reſident at Oude, obſerve, that the ſaid Reſident had not received any Part of the Sum expected from Furrukkabad, and were ſurprized that he had not intimated in his Letter to the Board, or to the Governor General, the Circumſtances which had prevented him from receiving any Part of the Sum expected from the Nabob Muzuffer Jung; and that ſhould it proceed from an Advantage taken by him of their Mediation with the Nabob Vizier, the Board directed that he ſhould immediately afford him effectual Aſſiſtance for the Recovery of what might be due to him from Muzuffer Jung, and expreſsly to withdraw all other Interference with that Nabob.

AND the ſaid Warren Haſtings ſays, that the ſaid Middleton, in Anſwer to the ſaid Letter, did repreſent that the Board had anticipated his Reply, by adverting to what they conjectured might have been the Cauſe of the total Failure in the Collection of Furrukkabad, which was, as they juſtly ſuppoſed, an improper Advantage taken by Muzuffer Jung, of the Mediation employed with the Nabob Vizier in his Behalf: That he the ſaid Middleton had therefore immediately, upon Receipt of the Orders of the Board, withdrawn all Mediation and Interference which ſtood between the Nabob Vizier, and the Collection of the Tribute from Furrukkabad, and had afforded him the Aſſiſtance directed, by ſending a Regiment to ſupport the Sezawel appointed by his Excellency for the Collection of the Tribute of the enſuing Year.

AND the ſaid Warren Haſtings ſays, that the Company's Mediation, and Interference in favour of the ſaid Muzuffer Jung were withdrawn, and the Aſſiſtance ſtated in the ſaid Third Article given to the ſaid Vizier, for the Recovery of his Claims upon Furrukkabad, for the Reaſons ſtated in the ſaid Orders; and in virtue of thoſe Orders only; but the ſaid Warren Haſtings denies, that his Conduct in reſpect to the Meaſure ſtated in the ſaid Third Article, was in Contradiction to any Principle of Juſtice or Equity towards the ſaid Muzuffer Jung.

AND the ſaid Warren Haſtings ſays, he has been informed that the ſaid Native Sezawel did renew Severities formerly exerciſed in reſpect to the ſaid Muzuffer Jung.

AND the ſaid Warren Haſtings admits, that he did ſome Time in October, One thouſand Seven hundred and Eighty-two, receive a Letter of Complaint from the ſaid Muzuffer Jung, requeſting a Renewal of the Mediation of the Bengal Government, for the Purpoſe of procuring a Recal of the Vizier's Sezawel; which Letter was immediately, according to the uſual Practice of the Settlement, entered in the Book of Perſian Correſpondence for the Inſpection of the Board; and that afterwards ſimilar Complaints were at different Times received by the Board at Calcutta, through Mr. Briſtow; and that a Letter to the ſame Effect was received from the ſaid Muzuffer Jung, in the Month of February, One thouſand Seven hundred and Eighty-three.

AND the ſaid Warren Haſtings denies, that he was guilty of any Delay, or Breach of Duty in reſpect to the ſaid Complaints; but ſays, that the Board did not deem it expedient to interfere with the Vizier for the Recal of the Sezawel at Furrukkabad, until the Month of October, One thouſand Seven hundred and Eighty-three; and he denies that the Conduct of him the ſaid Warren Haſtings, in the Matters aforeſaid, was in any Degree incompatible with the Honour, or Dignity of the Britiſh Government.

AND the ſaid Warren Haſtings ſays, that in the Month of October, One thouſand Seven hundred and Eighty-three, he did, from a Senſe of Submiſſion to the implied Orders of the Court of Directors, as well as from an Opinion of the Propriety of the Meaſure, propoſe to the Council at Bengal, and the ſaid Council did accordingly reſolve, to appoint a Reſident at Furrukkabad, if the Conſent of the Nabob Vizier could be previouſly obtained, and that Mr. Willes ſhould be ſuch Reſident; which Conſent being obtained, the ſaid Mr. Willes did afterwards proceed to the ſaid City, in the Execution of his Duty.

AND the ſaid Warren Haſtings denies, that the ſaid Mr. Willes was impeded in the Execution of his Duty by any Neglect or Orders of him the ſaid Warren Haſtings.

AND the ſaid Warren Haſtings denies, that either by entering into the Treaty of Chunar, or that by any Conſent, or Authority to be implied

plied therefrom; or that in all, or any of the ſuppoſed Inſtances of Miſconduct ſtated in the ſaid Third Article in reſpect to the ſaid Vizier, and Muzuffer Jung reſpectively; or that by the ſaid ſeveral ſuppoſed Acts or Deeds done or omitted, or ſuppoſed to be done or omitted by him the ſaid Warren Haſtings, he the ſaid Warren Haſtings has been guilty either of Neglect of Duty, Uſurpation of Authority, Breach of Treaty, or Duplicity towards either the ſaid Vizier, or the ſaid Muzuffer Jung; or that he has, in any of theſe Reſpects, brought any Diſgrace upon the Britiſh Name, or any Diſcredit upon the Britiſh Government in India; or that he ever reduced himſelf to the Alternative of being guilty of a Breach of Faith, either to the Vizier or Muzuffer Jung, as is ſuggeſted in the ſaid Third Article; or that by all or any of the ſeveral Acts ſtated in the ſaid Third Article, ſo far as the ſame or any of them were by him done or committed, he was, or is guilty of any Crime, or Miſdemeanour whatſoever.

FOURTH ARTICLE.

IN Anſwer to the Fourth Article, the ſaid Warren Haſtings admits it to have been his Duty while Governor General of Bengal, ſtrictly to attend to the Expenditure of Public Money; and more particularly in a Time of War and Public Diſtreſs, to be careful that thoſe Revenues upon which the Welfare and

Safety of the Empire did neceſſarily depend, ſhould not be diminiſhed or ruined by Diſſipation or Prodigality, and ſhould not be diverted from the Public Service, or ſquandered for the Purpoſe of increaſing his own Perſonal Influence, or providing for his Dependants.

AND alſo, that it was his Duty in every Inſtance in his Power to pay due Obedience to the Orders of the Court of Directors: But the ſaid Warren Haſtings humbly contends, ſuch laſt mentioned Duty did not require Compliance with the ſaid Orders, in Caſes where ſuch Compliance would have been materially injurious to the Intereſts of the Eaſt India Company, or the Britiſh Nation, or where ſome important Advantage to ſuch Intereſts might be attained by a Deviation therefrom. And the ſaid Warren Haſtings ſays, that the Court of Directors of the Eaſt India Company, by the Thirty-ſixth Paragraph of the General Inſtructions given to the Governor General and Council in March, One thouſand Seven hundred and Seventy-four, reciting, that as all the Company's Buſineſs which could conveniently be performed by Contract was ſo performed in Bengal, did direct as in the ſaid Fourth Article is ſtated.

AND the ſaid Warren Haſtings admits, that ſuch expreſs Order of the ſaid Court was made in the Year One thouſand Seven hundred and Seventy, as in the ſaid Fourth Article is ſtated; and that divers other Orders and Commands to the ſame Purpoſe and Effect may have been iſſued by the ſaid Court of Directors at different Times to their Servants in India.

AND

AND the ſaid Warren Haſtings admits, that the Opium produced in Bengal and Bahar is a very conſiderable and lucrative Article in the Export Trade of the ſaid Provinces, and that it has been for a conſiderable Length of Time managed under a Monopoly. And the ſaid Warren Haſtings admits, that of late Years, (that is to ſay) ever ſince the Year One thouſand Seven hundred and Seventy-three, when, in conſequence of a Propoſal from the ſaid Warren Haſtings, the ſaid Monopoly was taken from private Perſons, by whom it had been before excluſively held without any Participation of the Eaſt India Company, into the Poſſeſſion of the ſaid Company, great Advantage has reſulted from the ſame to the ſaid Company.

AND the ſaid Warren Haſtings admits, that of late Years the Opium has been provided by Contract; but he ſays, that it would not have been expedient or conducive to the Intereſt of the Eaſt India Company, previous to the Contracts for this Commodity being made, or in the making thereof, to have obſerved and followed all the Rules and Regulations preſcribed by the Directors of the Eaſt India Company in regard to Contracts in general.

AND the ſaid Warren Haſtings ſays, that doubts having ariſen in Council at Bengal, whether the Management of the Opium Concern ought, as an Article of Revenue, to be lodged with the Governor and Council, or as an Article of Commerce, to be veſted in the Board of Trade; and the ſame having been communicated to the Court of Directors, they were pleaſed

to direct as follows: " As the Revenue Coun-
" cil at Patna are of Opinion that the Opium
" Buſineſs may be more conveniently conduct-
" ed by their Board than by our Commercial
" Servants, on that Conſideration only we di-
" rect that the Proviſion thereof be continued
" under your Management; but that you con-
" ſign the ſame, when provided, to our Board
" of Trade at prime Coſt, who are to diſpoſe
" thereof at Public Auction, and to apply the
" Produce towards the Proviſion of our In-
" veſtment."

AND the ſaid Warren Haſtings admits it to have been his Duty, not only to be careful in the Expenditure of the Public Money in the making of Contracts, and in providing for the Public Service, but alſo to be particularly careful not to laviſh the Money of his Employers in exceſſive Salaries and Emoluments to favoured Individuals.

AND the ſaid Warren Haſtings admits, that the Court of Directors did order and direct that the Sum of Six thouſand Pounds per Annum ſhould be paid to the Commander in Chief in full for his Services as Commander in Chief, in lieu of Travelling Charges, and of all other Emoluments whatſoever. And the ſaid Warren Haſtings admits, that it was his Duty not to create by his Prodigality any public Diſtreſs, and denies, that he was guilty of any Prodigality, or of any violent or oppreſſive Acts whatſoever. And the ſaid Warren Haſtings admits, that it was his Duty not to rob any Perſon whomſoever.

AND

AND the ſaid Warren Haſtings denies, that he did enter into any Contract of the Nature, or with the Views, or in the Manner, or which was productive of the Conſequences, in the ſaid Fourth Article mentioned.

AND the ſaid Warren Haſtings denies, that he did authorize or approve of any enormous Salaries or extravagant Allowances, or did laviſh away any Part of the Reſources of the Company, or of the Princes in Alliance with them, as in the ſaid Fourth Article is ſtated.

AND the ſaid Warren Haſtings ſays, that it having been determined in Council that Opium ſhould be provided by Contract, the Governor General and Council, the ſaid Warren Haſtings being Governor General, did in the Year One thouſand Seven hundred and Seventy-ſeven, when the former Contract was near its Expiration, unanimouſly agree to accept Propoſals from John Mackenzie, for a Contract with him for Opium, to be provided on Terms nearly the ſame with, but more favourable than, the former Contract.

AND the ſaid Warren Haſtings admits, that the ſaid Contract was granted for a Term of Three Years without any previous Advertiſement, it having been by the ſaid Governor General and Council deemed for the Advantage of the Eaſt India Company to make a Contract for the ſaid Commodity in that Manner, and for that Term.

AND

AND the ſaid Warren Haſtings admits, that the Court of Directors of the Eaſt India Company conceiving, contrary to the Fact, that the ſaid Contract had been made, not only without any Advertiſement, but likewiſe without any previous Enquiries neceſſary to guide the Judgment of the ſaid Governor General and Council therein, and to warrant the ſaid Meaſure, did expreſs their Diſapprobation of the Manner in which they ſuppoſed the ſaid Contract to have been made; but the ſaid Warren Haſtings denies, that the ſaid Court of Directors did condemn either the Continuance of the Monopoly, or the Management thereof by Contract, or the Term of Years for which the ſaid Contract with the ſaid John Mackenzie had been made.

AND the ſaid Warren Haſtings ſays, that the Governor General and the Council, he the ſaid Warren Haſtings being Governor General, did judge it expedient, and did accordingly reſolve to transfer the Sale of Opium from the Board of Trade to another Department, which Meaſure, though contrary to the Letter of the Orders of the Court of Directors, it was conceived by the ſaid Governor General and Council, would more effectually carry into Execution the Intentions of the ſaid Court, in giving the ſaid Orders; and which Meaſure, with the Reaſons for the ſame, was immediately communicated by the ſaid Governor General and Council to the ſaid Court of Directors, by a Letter bearing Date the Twenty-fifth November, One thouſand Seven hundred and Eighty, and the ſame has been ſince continued.

AND

AND the ſaid Warren Haſtings further ſays, that, in the Year One thouſand Seven hundred and Eighty-one, at the uſual and proper Period of making the Contract for Opium, the then Situation of Public Affairs having rendered it more expedient to extend the Period, for which ſuch Contract ſhould be made, beyond the Term of One Year, the Governor General and Council, the ſaid Warren Haſtings being Governor General, did, in Conſideration thereof, reſolve, " That the Contract for the Pro-
" viſion of the Opium produced in Bengal and
" Bahar ſhould be granted to Mr. Stephen
" Sulivan for the Term of Four Years, on the
" ſame Conditions as it was then held by Mr.
" Mackenzie, the then Contractor :" But the ſaid Warren Haſtings denies, that the ſaid Contract was made with the ſaid Stephen Sulivan on more advantageous Terms for the Contractor than the ſame would have been made with any other Perſon. And the ſaid Warren Haſtings admits, that the ſaid Contract was made without advertiſing for Propoſals, or receiving from the ſaid Stephen Sulivan any written Propoſals for the ſame; and that the ſaid Contract did not contain any Clauſe, providing that the ſame ſhould be liable to be determined by the Orders of the Court of Directors. But the ſaid Warren Haſtings denies, that any Clauſe was inſerted in the preceding Contract, reſpecting the Determination of the ſame by the Court of Directors, in any other Event than that of their relinquiſhing the excluſive Property in the Trade of Opium, and making it free, in which Caſe the ſaid Contract was to remain in force only for the current Year, of which Event there had

had ceaſed to be any Probability prior to the Year One thouſand Seven hundred and Eighty-one.

AND the ſaid Warren Haſtings denies, rhat he did take away Reſtrictions uſually and providently impoſed upon the Contractor in Contracts of that Nature; but he admits, that he, as Governor General, and the Council, did reſolve, that there being no longer Occaſion for Inſpectors to ſuperintend the Manufacture of the Opium delivered by the Contractor, ſince the Reaſons which induced the Board to appoint thoſe Officers no longer exiſted, their Appointments ſhould be aboliſhed; and, in lieu thereof, it was in the ſaid Contract of the ſaid Stephen Sulivan ſtipulated, that, on the Arrival of the Opium at Calcutta, it ſhould be ſubject to the Inſpection and Controul of ſuch Perſons as the Governor General and Council might appoint for that Purpoſe. And the ſaid Warren Haſtings inſiſts, that the Regulation ſubſtituted by the Governor General and Council, in lieu of ſuch Inſpection, did as effectually guard againſt the Commiſſion of any Fraud by the Contractor, and was in other Reſpects more advantageous to the Eaſt India Company.

AND the ſaid Warren Haſtings denies, that the ſaid Contract was granted upon Terms extravagant or profuſe, or for the Purpoſe of creating an inſtant Fortune to the ſaid Sulivan; but, on the contrary, the ſaid Warren Haſtings avers, that the Terms of the ſaid Contract were as advantageous to the Eaſt India Company as the Terms of the preceding Contracts made

made by or on the Part of the ſaid Company, for the Proviſion of the ſaid Commodity, and ſuch as the ſaid Warren Haſtings and the Council at that Time did believe to be fair and reaſonable.

AND the ſaid Warren Haſtings believes the ſaid Sulivan to have been a Perſon properly qualified to execute the ſaid Contract: And he ſays, that a proper and ſufficient Security was taken from him for the due Performance thereof.

AND the ſaid Warren Haſtings denies, that the ſaid Sulivan did not ever execute, or attempt to execute, the ſaid Contract; but whether the ſaid Sulivan did, on or before the Execution of the Articles between him and the Governor General and Council, transfer his Intereſt in the ſaid Contract to John Benn Eſquire, or whether the ſaid Benn did afterwards transfer the ſame to any other Perſon, the ſaid Warren Haſtings declares himſelf ignorant, except as he has heard the ſame by Report ſince his Arrival in England, or has been informed by the ſaid Articles, and the Proceedings before the Honourable the Houſe of Commons, touching him the ſaid Warren Haſtings.

AND the ſaid Warren Haſtings ſays, that the Governor General and Council, he being Governor General, did, in the Year One thouſand Seven hundred and Eighty-one, declare, as the Truth was, that the Employment of the Shipping belonging to Bengal, in ſupplying the Coaſt with Grain, and the Difficulties and

Obſtructions apprehended in the Navigation of the China Seas from the Cruizers and Privateers which had been, and were expected to be fitted out from the Iſle of France, Batavia, and other Places, to interrupt the Trade of the Eaſtward, had ſo much reduced the Demand for Opium, that they had found no Bidders at the Company's Sales at the Cloſe of the laſt and the Commencement of the then Year, nor any Perſons willing to become Purchaſers of that Article at the moderate Price of Four hundred Rupees per Cheſt, at which it was afterwards expoſed for private Sale; from which Cauſes almoſt the whole Produce remained on their Hands: But he denies that he ever monopolized Opium at an extravagant Rate, or that no Attempts were made by Perſons employed by the Governor General and Council to ſell the ſame at a low Price.

AND the ſaid Warren Haſtings ſays, he does not know or believe that there were any Perſons in Calcutta who had Authority to bid for the Whole or the greateſt Part of the ſaid Opium, upon any Terms which it would have been for the Intereſt of the Eaſt India Company to have accepted. And the ſaid Warren Haſtings denies that he did, in order to favour any Individuals, borrow Money at a large Intereſt, for the Purpoſe of advancing the ſame to the Contractor laſt mentioned; but he ſays, that no other Advances were made to the ſaid Contractor, than ſuch as were agreeable to the Terms of his Contract; and that the Sum of Money, mentioned in the ſaid Fourth Article to have been borrowed, was borrowed in the

Abſence

Abſence of the ſaid Warren Haſtings, in order to raiſe a Supply of Money to enable the Board to anſwer the heavy Calls which had been made on them from the other Preſidencies, and to make up for the Failure of the Reſource expected from the Sale of the Opium.

AND the ſaid Warren Haſtings ſays, that the Opium was, by Order of the Governor General and Council, he the ſaid Warren Haſtings being Governor General, exported to the Eaſtern Iſlands, and to China, on the ſaid Company's Account; which Meaſure, the ſaid Warren Haſtings avers, was, in the then State of the Company's Affairs, proper and expedient.

AND the ſaid Warren Haſtings ſays, That he has heard, and believes, that the Importation of Opium is forbidden in China.

AND he admits, that the ſaid Plan was attended with ſome Riſk and Hazard, and that, in the Courſe of the Execution of the ſaid Plan, the Succeſs of it was in ſome Meaſure diminiſhed in conſequence of a Capture by the Dutch of one of the Ships employed in conveying Part of the Opium; which Capture was the only Loſs the ſaid Warren Haſtings knows, or has heard, that the Eaſt India Company ever ſuffered by the ſaid Plan, which he denies to have produced any Diſgrace to the Britiſh Character in India.

AND the ſaid Warren Haſtings, denying that he ever acted in the Proſecution of a Syſtem

rem of Diſobedience to Orders, or of Prodigality, or Profuſion, or that he was ever guilty of any Prodigality, or Profuſion, ſays, that ſome Time in the Year One thouſand Seven hundred and Seventy-ſeven, the Governor General and Council, the ſaid Warren Haſtings being then Governor General, did accept of Propoſals for providing Draft and Carriage Bullocks to the Army for Three Years, without adverſiſing for the ſame; and that afterwards, ſoon after the Commencement of the War in India, the ſaid Warren Haſtings, without, as he admits, any Complaint made on the Part of the Contractor, but not without any Complaint on the Part of the Army, but, on the contrary, after repeated and urgent Repreſentations from the principal Officers commanding the ſame, that the ſubſiſting Contract (One-half of the Time limited for the Duration whereof he admits to have been then unexpired) was inadequate to the regular Supply of that Service, did approve of certain Alterations in the ſaid Contract, which, in his own Judgment, and that of the ſaid principal Military Officers, were eſſential and neceſſary; and the ſame having been reſerved for the Opinion of, and having afterwards undergone the Correction of Sir Eyre Coote, the then Commander in Chief of all the Company's Forces in India, and having been by him propoſed in Council, the ſaid Warren Haſtings, as Governor General, did vote for, and a Majority of the Board in Council did paſs, a Reſolution in the following Words, viz. "That "the Plan recommended by the Commander "in Chief for a new Contract for the Draft and "Carriage Cattle be approved, and that an

" Offer be made to the preſent Contractor to
" contract with him on the Terms preſcribed
" therein, inſtead of the Contract now in force."

AND the ſaid Warren Haſtings ſays, that it was by the ſaid Board deemed expedient, that the ſaid Contract ſhould be made for the Term of Five Years; but he ſays, that the Conditions thereof, though in ſome Reſpects more advantageous to the Contractor, were alſo more advantageous to the Eaſt India Company than the then ſubſiſting Contract. And the ſaid Warren Haſtings denies, that the Governor General and Council did by the ſaid Contract agree for a Number of Bullocks, exceeding the Number which the Commander in Chief had declared to be ſufficient for the whole Army, or for a greater Number than the Public Service then required; and though the Rate at which the ſaid Bullocks were by ſuch new Plan contracted for was higher than that of the then exiſting Contract, and though from the encreaſed Eſtabliſhment of Bullocks, and the Proviſion neceſſarily made for its Support, a conſiderable annual Increaſe of Expence was unavoidably occaſioned, yet he denies that ſuch Increaſe was either wanton, enormous, or unneceſſary.

AND the ſaid Warren Haſtings admits, that the ſaid Reſolution, and the Propoſal contained in it, were carried into Effect, and that a Contract, in conſequence of it, was made by the Governor General and Council with Charles Croftes Eſquire; but the ſaid Warren Haſtings denies that, in agreeing to the Terms of the ſaid Contract, he was in any Manner influenced by

Conſi-

Conſiderations of Friendſhip for the ſaid Charles Croftes. And the ſaid Warren Haſtings denies that the ſaid Contract was productive of any Loſs or Damage to the Eaſt India Company, or that it was in Violation of the Orders and Directions of the Court of Directors.

AND the ſaid Warren Haſtings ſays, that the ſaid Contract did contain a Clauſe, by which it was agreed, that it ſhould be lawful for the Eaſt India Company to extend the ſaid Contract for the Term of One Year beyond the ſaid Term of Five Years, in caſe they ſhould be minded ſo to do, on One Year's Notice in Writing being for that Purpoſe given by the Governor General and Council on their Behalf to the Contractor; and that it was by the ſaid Clauſe alſo agreed, that the ſaid Company ſhould, on or before the Expiration of Four Years from the Day of the Date of the ſaid Contract, give Notice in Writing whether they ſhould intend to lengthen the ſaid Contract or not: But in caſe no ſuch Notice ſhould be given, it was agreed, that the ſaid Contract ſhould continue for the Space of One Year beyond the ſaid Term of Five Years, that is to ſay, unto the Firſt of September, One thouſand Seven hundred and Eighty-five.

AND the ſaid Warren Haſtings ſays, that the Court of Directors, in their Letter of Eleventh of April, One thouſand Seven hundred and Eighty-one, did expreſs a Diſapprobation of ſome Parts of the ſaid Contract, and their Approbation of other Parts thereof; and that the ſaid Court of Directors did ſignify their Pleaſure

ſure reſpecting the Mode to be purſued in caſe of any future Contract, in the following Terms: "We therefore direct, that in future no great-" er Number of Draft or Carriage Bullocks be " entertained, to be paid for by the Company, " than ſhall be neceſſary for the Service; that " the Terms of the Contract be always ad-" verti ſed One Year at leaſt before the Expira-" tion of the ſubſiſting Contract; that the loweſt " Terms, with good Security for the Perform-" ance, be accepted; and that no Contract for " Bullocks be on any Account concluded for " a longer Term than Three Years." But the ſaid Warren Haſtings denies that the ſaid Court of Directors did give any particular Directions for the Conduct of the ſaid Governor General and Council in reſpect to the Determination of that Contract, or that they gave any Order that the Proviſion of Draft and Carriage Bullocks for the Army ſhould in future be managed by Contract, in preference to any other Mode.

AND the ſaid Warren Haſtings ſays, that the Attention of the Board not being immediately called to the Terms of the ſaid Contract, the Period of Time at which previous Notice for the Determination of the ſame ſhould have been given, was accidentally ſuffered to elapſe; in conſequence whereof, the ſaid Contract would, by virtue of the Clauſe herein before mentioned, have continued for the Term of Six Years, that is to ſay, till the Firſt of September, One thouſand Seven hundred and Eighty-five, which the ſaid Warren Haſtings admits would have been for a longer Time than the then Situation of the Eaſt India Company's Affairs in

India required: But the ſaid Warren Haſtings ſays, that to prevent ſuch Continuance, the ſaid Warren Haſtings did, on the Second February, One thouſand Seven hundred and Eighty-four, when, by the Reſtoration of Peace, a Reduction of the Military Eſtabliſhment in Bengal had become practicable and ſafe, propoſe in Council, and a Majority of the Council did accordingly reſolve, to purchaſe an immediate Relinquiſhment of the Contract, and the ſame was accordingly purchaſed, after it had been held only Three Years and an Half, upon ſuch Terms as to the Board appeared reaſonable; and which the ſaid Warren Haſtings denies to have been extravagant or unreaſonable, or that the Eaſt India Company did, by ſuch Purchaſe, ſuſtain great Loſs and Damage.

AND the ſaid Warren Haſtings ſays, that after ſuch Purchaſe, the Governor General and Council, the ſaid Warren Haſtings being Governor General, did reſolve, that the Proviſion of Bullocks for the Army ſhould be conducted by Agency, believing that the ſame might be managed in ſuch Mode with more Advantage to the Eaſt India Company than by Contract; and did alſo reſolve, that Sir Charles William Blunt ſhould be employed in ſuch Agency: But the ſaid Warren Haſtings denies that he did, by concurring in ſuch Reſolution, act contrary to his Duty, or to the Orders of his Maſters, though he admits that ſuch Mode of conducting the Buſineſs was afterwards diſapproved by the Court of Directors, as liable to the Objections in the ſaid Fourth Article ſtated.

AND the ſaid Warren Haſtings denies, that by all or any of the ſeveral Acts ſuppoſed to have been done or omitted by him the ſaid Warren Haſtings, he was guilty of any Part of the ſuppoſed Offences or Miſconduct in the ſaid Fourth Article charged againſt him.

AND the ſaid Warren Haſtings further ſays, that the late General Sir Eyre Coote having in the Month of March, One thouſand Seven hundred and Seventy-nine, arrived in Bengal, from Europe, to take upon himſelf the Command of all the Britiſh Forces in India, then employed in a perilous and extenſive War, did in a few Days after his Arrival deliver in to the Council of Fort William in Bengal ſeveral Propoſitions, by which he inſiſted that certain Allowances then paid to General Stibbert, Provincial Commander in Chief on the Bengal Eſtabliſhment, did devolve upon him the ſaid Sir Eyre Coote, as Commander in Chief. And the ſaid Warren Haſtings ſays, that the ſaid Allowances ſo claimed had been granted to the ſaid General Stibbert, partly under a Reſolution of the Governor General and Council, he the ſaid Warren Haſtings being then Governor General, and having, as he admits, concurred therein, and partly by the expreſs Orders of the Court of Directors. And the ſaid Warren Haſtings further ſays, That the ſaid Propoſitions were referred by the Council to the Board of Inſpection, and a Minute was thereupon delivered in by the ſaid Sir Eyre Coote, ſetting forth the Grounds upon which he had been on his firſt Arrival induced to reſt his aforeſaid Claim, and that he had ſince more fully examined into the

ſame; and further alledging, " from his long " Experience of the Service, the Inſufficiency " of his Salary, and that he was certain the " Court of Directors never meant he ſhould " ſuffer in his private Fortune by carrying on " the public Service, and requeſting that ſuch " Meaſures might be adopted as might pre- " vent any unneceſſary Expence from falling " upon the Company, and which would at the " ſame Time enable him to execute the Duties " incumbent on him as their Commander in " Chief, to viſit the ſeveral Stations of the " Troops, or to take the Field, if neceſſary, " without involving himſelf in Expences which " he ſhould be unable to ſupport." And the ſaid Board of Inſpection having taken the ſame into Conſideration, it was by the ſaid Board determined, he the ſaid Warren Haſtings being a Member of ſuch Board of Inſpection, and concurring in that Determination, that the Allowances made to General Stibbert did not devolve on the ſaid Sir Eyre Coote, nor ought to be taken away from the ſaid General Stibbert without the further Orders of the Court of Directors: But in conſideration of the Matters in the Minure of the ſaid General Sir Eyre Coote ſet forth, and for other Reaſons, which in the Judgment of the ſaid Board appeared to warrant ſuch Meaſure, did reſolve that the ſaid Sir Eyre Coote ſhould, as Commander in Chief of the Forces in India, receive when in the Field a ſpecified Allowance for himſelf and his Staff, for the Purpoſe of defraying the extraordinary Expences which his Eſtabliſhment in the Field would occaſion. And the ſaid Warren Haſtings denies, that by concurring in the ſaid Reſolutions

of

of the ſaid Board, he acted in the Proſecution of a corrupt or prodigal Syſtem of Government, or in Contradiction to his Duty and the Orders of his Superiors, or with any View to increaſe his own Influence.

AND the ſaid Warren Haſtings ſays, that in the Year One thouſand Seven hundred and Seventy-nine, the ſaid General Sir Eyre Coote having deemed it neceſſary to viſit the different Stations of the Army, in order to form ſuch Military Arrangements as the Service required, and it being expected that his Preſence would be moſtly confined to the Grand Poſts of the Army, ſtationed and employed in the Defence of the Dominions of the Nabob Vizier; and the ſaid Nabob Vizier being bound to diſcharge the actual Expences of all the Troops employed for the Protection of the Countries lying beyond the River Carumnaſſa, it was for theſe and other Reaſons reſolved in Council, on the Propoſal of the ſaid Warren Haſtings, that the Field Allowances and travelling Charges of the ſaid Sir Eyre Coote as Commander in Chief, when in the Field, ſhould be added to the Debit of the ſaid Vizier's Account as a Part of his general Subſidy; the ſaid Charge to commence from the Day of the ſaid Commander in Chief's paſſing the ſaid River Carumnaſſa, and to continue till his Return to the ſame Line; and that the ſaid Nabob Vizier ſhould be written to on the Subject. And the ſaid Warren Haſtings denies that, by propoſing or concurring in ſuch Reſolution, he acted in the Proſecution of a Syſtem of Profuſion or Prodigality, or in any Violation

of

of the Treaty between the Eaſt India Company and the Nabob Vizier.

AND the ſaid Warren Haſtings admits, that ſome Time in the Month of October, One thouſand Seven hundred and Eighty, the Court of Directors, reſerving for a future Opportunity their full Sentiments and Inſtructions on the Subject, did expreſs a Diſapprobation of the ſaid Allowances, and direct that they ſhould be diſcontinued on the Receipt of ſuch their Order. And the ſaid Warren Haſtings avers, that the ſaid Allowances were immediately on the Receipt of the ſaid Order, in obedience thereto, diſcontinued. And he denies, that he did of his own private Authority continue to the ſaid Sir Eyre Coote, ſuch Allowances as are in the ſaid Fourth Article ſtated, or that the ſame were, by the Command or Authority of the ſaid Warren Haſtings, continued to be paid by the Vizier for the Uſe and Behoof of the ſaid Sir Eyre Coote.

AND the ſaid Warren Haſtings further denies, that in all or any of the Acts, Orders, Allowances, or Contracts done, made, granted, or ordered by the ſaid Warren Haſtings, he the ſaid Warren Haſtings has been guilty of any Miſconduct, Offence, Crime, or Miſdemeanour whatſoever.

AND the ſaid Warren Haſtings admits, that, in the Month of December, One thouſand Seven hundred and Eighty, the Governor General and Council, the ſaid Warren Haſtings

 being

being then Governor General, did appoint James Peter Auriol Eſquire to be Agent for providing Supplies for the Relief of the Preſidency of Madraſs, at which Settlement there was a great Scarcity of Proviſions: But the ſaid Warren Haſtings denies that this Meaſure was in purſuance of any prodigal or corrupt Syſtem of Government, or that the ſame was a Meaſure either prodigal or corrupt.

AND the ſaid Warren Haſtings, denying that he did unite in his own Perſon all the Powers of Government, admits that the ſaid Auriol did require the uſual Commiſſion, and that the ſaid Warren Haſtings and the Council did determine that he ſhould be allowed for the ſaid Agency a Commiſſion of Fifteen per Cent. upon his Diſburſements, the ſaid Warren Haſtings and the Council conceiving the ſame to have been, under all the Circumſtances, a proper Allowance.

AND the ſaid Warren Haſtings admits that the ſaid James Peter Auriol was at the ſame Time, and by the ſame Authority, appointed Agent of Supplies to the other Preſidencies, and to the Iſland of St. Helena, with the ſame Commiſſion. And the ſaid Warren Haſtings ſays, that though the Propoſal of the ſaid Auriol did not extend to the ſaid other Preſidencies, and to the ſaid Iſland, yet the ſaid Warren Haſtings did believe that there exiſted a Neceſſity of providing Supplies for the ſame from Bengal, and that the beſt Mode of providing them was by the Way of Agency.

AND

AND the ſaid Warren Haſtings admits that the ſaid Auriol was, at the Time of ſuch Appointment, and had been for ſome Time before, one of the Secretaries of the Supreme Council, which Office, at the Time when the ſaid Auriol ſucceeded to the ſame, had by the public Authority of the Board, ſuffered a Reduction in the regular Salary annexed to it; but the ſaid Warren Haſtings, though he does not remember to have made any ſuch Declaration as is in the ſaid Fourth Article ſtated, and poſitively averring, that neither in the Creation of the ſaid Agency, nor in fixing the Terms thereof, he was in any Manner actuated by any Motives of private Favour to the ſaid James Peter Auriol, humbly inſiſts that the Experience which the Eaſt India Company had acquired, of the long and laborious Services of the ſaid James Peter Auriol, in the ſaid Office, and of his Abilities and Integrity, did afford a reaſonable Cauſe of Preference in the Choice of a fit Perſon to execute an Agency of ſo important a Nature.

AND the ſaid Warren Haſtings ſays, that on the Twenty-fifth Day of March, in the Year One thouſand Seven hundred and Eighty-two, the Governor General and Council, he being then Governor General, did, as a proper Alteration in the Allowance of the ſaid Agency, reſolve, that, from the Thirty-firſt of December, One thouſand Seven hundred and Eighty-one, the ſaid Auriol ſhould draw no more Commiſſion on the Freight and Charges of Shipping, or on any other Charges, than the Rate of Five per Cent. being the cuſtomary Amount drawn by Merchants;

Merchants; but he denies that he was thereby guilty of any criminal Misrepresentation whatsoever.

AND the said Warren Hastings admits that some Complaints were made concerning Rice and other Provisions supplied by the said Auriol, which Complaint having been immediately enquired into, and satisfactorily answered, and the proper Execution of the said Contract, on the Part of the said Auriol, having been fully ascertained, the said Warren Hastings further admits he did, in concurrence with the other Members of the Council, continue the said Auriol in the said Agency; but the said Warren Hastings denies that he did discourage any just or necessary Enquiry into the Execution of this Service, or any Complaint of the Non-performance thereof.

AND the said Warren Hastings denies that in any of the supposed Declarations, or that by all or any of the Acts or Deeds by him, touching the Matters aforesaid, made, done, or committed, he did violate his Duty, or break the Trust reposed in him, or that he was or is guilty of any Crime or Misdemeanour whatsoever.

AND the said Warren Hastings further says, that in the Month of November, One thousand Seven hundred and Seventy-six, he did, while Governor General and as Commander in Chief of Fort William in Bengal, propose in Council a Plan for supplying, by means of an Agent, the Garrison of that Fort with a continual Store of Provisions sufficient for a Siege; which Plan

was approved by the Council; but he denies that he induced them to approve thereof, otherwiſe than by ſtating the Nature of his ſaid Plan, and his Reaſons for propoſing it; and he admits that the ſame was a new Plan; but he avers, that an adequate Neceſſity did exiſt for the ſaid Appointment.

AND the ſaid Warren Haſtings further ſays, that at a ſubſequent Meeting of the Board, they did, on the Motion of the ſaid Warren Haſtings, appoint John Belli Eſquire to the ſaid Agency; but the ſaid Warren Haſtings denies, that he did propoſe the ſaid John Belli from a Spirit of criminal Partiality to his own Favourites, as in the ſaid Article is charged; but on the contrary avers, that his Recommendation of the ſaid John Belli was made in full Confidence, that the ſaid Truſt would thereby be faithfully and effectually diſcharged.

AND the ſaid Warren Haſtings further ſays, that in conſequence of a Reference by the Board to Three Merchants, reſpecting the Rate of Commiſſion to be allowed for providing the Articles in queſtion, the ſaid Merchants did report their Opinion to be, that no Agent could undertake to ſupply the Stores required, and to keep up the ſpecified Quantity in conſtant good Order, for leſs than certain Rates therein ſpecified, amounting in the whole to Twenty Pounds per Cent.; but the ſaid Warren Haſtings, being convinced from authentic Documents and Calculations, as well as from other Enquiries, that the ſaid Service could not be effectually performed at the Rate of Commiſſion

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ſo reported, did propoſe, and the Board did reſolve, to fix the Rate of Commiſſion at Fifteen per Cent. on providing the ſaid Articles, and Fifteen per Cent. more for Loſſes ariſing from replacing decayed and damaged Stores, and renewing the whole Depoſit of Victualling Stores every Year, which the ſaid Agent, by his propoſed Engagement, was bound to do: And the ſaid Warren Haſtings ſays, that the ſaid Terms were reaſonable and proper, with a View to the effectual Execution of the ſaid Service.

AND the ſaid Warren Haſtings denies, that he did make any ſuch Engagements or Declaration touching the ſaid Commiſſion, as in the ſaid Fourth Article is charged againſt him; but the ſaid Warren Haſtings admits, that, in conſequence of ſome Objections being made to the aforeſaid Plan of Supply, he did declare to the Effect following, that is to ſay, "The Utility or "Inutility of the Meaſure which has given riſe "to theſe Objections and Anſwers, will be beſt "proved by its Effect; and that this may be "fairly made, I pledge myſelf that Mr. Belli "ſhall keep exact Accounts of the Purchaſes, "Charges, and Expenditure of all the Stores "committed to his Charge, and I will become "reſponſible for his producing them before "the Board, if ever the Court of Directors "ſhall be pleaſed to order it; and that the "Profits ariſing therefrom ſhall be paid into "the Company's Treaſury, and appropriated "as they ſhall direct, if they ſhall not deem "them the juſt Reward of Mr. Belli's Services "and Fidelity."

AND the ſaid Warren Haſtings denies, that he had any Connection or Concern, directly or indirectly, in the Intereſts of the ſaid John Belli, touching the ſaid Agency, or in any other Reſpect whatſoever.

AND the ſaid Warren Haſtings ſays, that the Court of Directors having, upon an erroneous Statement of the Profits of the ſaid John Belli, directed a proportionable Reduction of them to be made; and it having appeared that the Amount of the Profits actually received by the ſaid John Belli were much below the Amount virtually allowed him by the ſaid Orders, the ſaid Warren Haſtings and the Council did agree that the Subject ſhould again be referred to the Conſideration of the Court of Directors, and the ſame was referred accordingly; but no further Orders were received from them on that Subject, during the Time the ſaid Warren Haſtings remained in India.

AND the ſaid Warren Haſtings ſays, that in the Month of Auguſt, One thouſand Seven hundred and Seventy-nine, the Board of Council, on the Motion of the ſaid Warren Haſtings, did agree to convert the Agency of the ſaid John Belli into a Contract for the Space of Five Years, on the ſame Terms, and at the ſame Rate of Allowance as before mentioned; but the ſaid Warren Haſtings denies that the ſaid Meaſure was of the Nature, or had the Tendency, or proceeded from the Motives, in the ſaid Fourth Article charged.

AND the ſaid Warren Haſtings denies that in all or any of the Declarations, Acts, or Proceedings by him made, done, propoſed, or perpetrated, or ſuppoſed to have been made, done, propoſed, or perpetrated, touching the Matters aforeſaid, he the ſaid Warren Haſtings was or is guilty of any Crime or Miſdemeanour whatſoever.

FIFTH ARTICLE.

IN Anſwer to the Fifth Article, the ſaid Warren Haſtings ſays, that Shuja Dowla, Nabob of Oude, and Vizier of the Empire, did, in the Year One thouſand Seven hundred and Seventy-four, engage in a War with the Tribe or Nation of the Rohillas; and that he the ſaid Warren Haſtings did, whilſt he was Preſident of the Preſidency of Fort William in Bengal, engage the Eaſt India Company to aſſiſt the ſaid Shujah Dowla, their Ally, in the Proſecution of the ſaid War.

AND he further ſays, that the Nabob Fyzoola Khan, a Chief of the Rohillas, did, in the Year One thouſand Seven hundred and Seventy-four, after the Defeat of the Rohilla Army, make his Retreat to the Frontier of the Rohilla Country, and in that Situation did make Overtures of Peace to Alexander Champion, Commander in Chief of the Forces of the Company in Bengal, and who, at the Time of ſuch Overtures, commanded the Troops of

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the Company, then ſerving againſt the Rohillas. And the ſaid Warren Haſtings admits, that the ſaid Alexander Champion did, in a Letter addreſſed to the ſaid Warren Haſtings, communicate to the Preſident and Council of the ſaid Eaſt India Company through the ſaid Warren Haſtings, then being Preſident as aforeſaid, certain Overtures of Peace, which had been then lately made to him by Fyzoola Khan, and ſubmitted by him, the ſaid Alexander Champion, to the ſaid Vizier, but which the ſaid Vizier had rejected with Diſdain; and the ſaid Alexander Champion did, in that Letter, expreſs his Regret at ſuch Rejection, and his Wiſh that the Board ſhould, upon due Conſideration of the ſaid Overtures, deviſe any Means by which the Public Good might be promoted. And the ſaid Warren Haſtings denies, that the Terms of Peace offered by the ſaid Fyzoola Khan were wiſe or advantageous either for the Vizier or the Company. And the ſaid Warren Haſtings ſays, that he did, in Anſwer to the Letter of the ſaid Alexander Champion, in June, One thouſand Seven hundred and Seventy-four, declare his Opinion, "that, inſtead "of ſoliciting the Vizier to relinquiſh his Con-"queſt of the ſaid Fyzoola Khan, every Argu-"ment ſhould be uſed to diſſuade him from "ſuch an Intention; and that it was the Deſire "of the ſaid Warren Haſtings, that the ſaid "Alexander Champion would diſcourage it as "much as was in his Power." But the ſaid Warren Haſtings denies, that, in ſo doing, he acted in Violation of any Principles of Juſtice or ſound Policy, or contrary to any Duties of his Station. And the ſaid Warren Haſtings admits,

that,

that, at the ſeveral Times referred to in the ſaid Fifth Article, the Government of the ſaid Company in Bengal was carried on by a Preſident and Council, and that ſuch Select Committee was appointed, as is ſtated in the ſaid Fifth Article, he affirms, however, that the Preſident had Authority in certain Caſes to act ſingly, and to ſend Orders without the Concurrence of the ſaid Council or Select Committee. And the ſaid Warren Haſtings admits, that, whilſt he was Preſident, as aforeſaid, he did, in Conjunction with the Select Committee, in a Letter from them to the ſaid Alexander Champion, dated the Eighth Day of September, One thouſand Seven hundred and Seventy-four, expreſs themſelves to the Effect following: "That their "Satisfaction upon the entire Reduction of the "Rohilla Country to the Vizier's Government "was increaſed by the Vizier's Intentions of "terminating the War by an Accommodation "with the Rohillas, which might be eaſily ſettled "in their diſtreſſed Situation, and that they "hoped his Excellency would be diſpoſed to "conciliate their Affections to his Government, "by acceding to lenient Terms." But the ſaid Warren Haſtings, denying that he did afterwards violate the ſaid public Order or Inſtruction, ſays, that he did, on the Sixteenth Day of September, One thouſand Seven hundred and Seventy-four, in a Letter of that Date, addreſſed to the ſaid Alexander Champion, in Anſwer to two Letters of the Twenty-firſt and Twenty-ſixth of Auguſt, received that Morning, expreſs an Hope, "that the ſaid Alexander Champion "had reſolved to proſecute the War to a final "Iſſue, becauſe he thought it appeared very

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" plainly that Fyzoola Khan and his Adherents " lay at the Mercy of the ſaid Alexander Cham- " pion, and becauſe he apprehended much In- " convenience from Delays, and becauſe he was " morally certain that no Good would be gained " by negociating." And the ſaid Warren Haſtings did, in that Letter, further ſuggeſt, " That although he had referred the ſaid Alex- " ander Champion to the Vizier for conducting " all Negociations, yet he by no means wiſhed " that the Vizier ſhould loſe Time, by ſeeking " for an Accommodation: That it would be " more effectual, more deciſive, and more " conſiſtent with his Dignity, and with his " Honour, which he had already pledged, " to abide by his firſt Offers, to dictate " the Conditions of Peace, and to admit " only an Acceptance without Reſervation, " or a clear Refuſal from his Adverſary." And the ſaid Warren Haſtings did, in the ſame Letter, inform the ſaid Alexander Champion, that he did intend to communicate the Subſtance of the ſaid Alexander Champion's Advices to the Select Committee for their fuller Sentiments on the Meaſures to be thereafter taken; but, in the mean time, to prevent the Danger of Delay, he deſired that the ſaid Alexander Champion would be pleaſed to receive thoſe Inſtructions for his Guide. And the ſaid Warren Haſtings ſays, that at the Time he wrote the ſaid laſt-mentioned Letter of the Sixteenth of September, he did confidently believe that the Sentiments of the Select Committee entirely coincided with his own, upon the ſeveral Subjects of the ſaid Letter, and inaſmuch as he then united in his own Perſon, by virtue of

his Commiſſion from the Eaſt India Company, the Powers and Authorities both of Commander in Chief and of Preſident, he did conceive himſelf warranted by ſuch his Powers and Authorities, the Exigencies of public Service, and the Neceſſity of " avoiding the Dangers of Delay," to give an inſtant Anſwer to the Two Letters received by him from the ſaid Alexander Champion, as aforeſaid, without waiting for a formal Communication with the Select Committee: But he ſays, that the Letter laſt mentioned was, on the Seventeenth Day of September, being the Day next after the ſame was written by him, laid before the ſaid Select Committee, who did approve of the ſame, and notify ſuch their Approbation to the ſaid Alexander Champion, in a Letter dated the ſaid Seventeenth of September. And the ſaid Warren Haſtings denies, that he did, by his Conduct laſt mentioned, violate the Duty of his Station, or illegally or clandeſtinely, or in any other Manner, counteract the Object of the Orders of the ſaid Select Committee, or that he was in any Manner guilty of ſuch Duplicity, or incurred ſuch Riſk reſpecting the Concluſion of the War as is charged upon him by the ſaid Fifth Article. And the ſaid Warren Haſtings ſays, that a Treaty of Peace and Friendſhip between the Vizier and the ſaid Fyzoola Khan was concluded on the Seventh of October, One thouſand Seven hundred and Seventy-four, at a Place called Lal Dang, previous to the Receipt of the ſaid Letter of the ſaid Warren Haſtings of the Sixteenth of September, One thouſand Seven hundred and Seventy-four. That the ſaid Fyzoola Khan, in Conſideration of the Concluſion thereof,

agreed to pay, and in fact paid, the Sum of Fifteen Lacks of Rupees, or ſome other large Sum of Money, to the ſaid Shuja Dowla, by which Treaty the ſaid Fyzoola Khan was eſtabliſhed in the quiet Poſſeſſion of the Territories of Rampore, and ſome other Diſtricts dependant thereon, in the Nature of Jaghires. And the ſaid Warren Haſtings ſays, that the ſaid Alexander Champion did, on the ſaid Seventh of October, One thouſand Seven hundred and Seventy-four, ſign and ſeal the ſaid Treaty as a Witneſs thereto. But the ſaid Warren Haſtings denies that the ſaid Alexander Champion did thereby engage the ſaid United Company to guarantee the ſame; or that at the Time of the Execution of the ſaid Treaty he was inveſted with Power ſo to do. And the ſaid Warren Haſtings denies that he underſtood the Guarantee of the Company to be ſo engaged, although he admits that, under the Circumſtances which attended the Execution of the ſaid Treaty, it would have been proper for the ſaid Eaſt India Company to have interfered, in order to prevent any Infraction thereof. And the ſaid Warren Haſtings believes that the ſaid Fyzoola Khan did conceive Doubts and Apprehenſions that the Security of his Jaghire Lands might be diſputed by the Vizier; and ſays, that Applications from the ſaid Fyzoola Khan were at ſeveral Times communicated, both to the ſaid Warren Haſtings and the Supreme Council at Bengal, for the Purpoſe of obtaining the Guarantee of the ſaid Company to the Engagements of the ſaid Vizier with the ſaid Fyzoola Khan. But the ſaid Warren Haſtings denies that he did for many Months, or at all, conceal or

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keep ſecret any Solicitations of the ſaid Fyzoola Khan upon that Subject; and he ſays, that all Letters received from the ſaid Fyzoola Khan by the ſaid Warren Haſtings were, in Effect, a Communication to, and Part of a Correſpondence with, the whole Board; and that the ſame, as the ſaid Warren Haſtings believes, were duly entered in the Book of Perſian Correſpondence, which was always open to the Inſpection of the Board, and acceſſible by every Member thereof. And the ſaid Warren Haſtings ſays, that a Letter having been received by the Board from the ſaid Middleton, dated at Lucknow, the Twenty-fifth of February, One thouſand Seven hundred and Seventy-eight, notifying, amongſt other Things, his Deputation of Mr. Daniel Octavius Barwell to Rampore, the Capital of the ſaid Fyzoola Khan, for the Purpoſes ſtated in the ſaid Article, he the ſaid Warren Haſtings did, upon the Ninth of March, One thouſand Seven hundred and Seventy-eight, propoſe, and the Council, of which the Majority was conſtituted as is ſtated in the Fifth Article, did approve of the Appointment of the ſaid Daniel Octavius Barwell made by the ſaid Middleton; and did further reſolve, "That the ſaid Reſident "Middleton ſhould be authorized to offer the "Company's Guarantee for the Obſervance of "the Treaty ſubſiſting between the Vizier and "Fyzoola Khan, provided it ſhould meet with "the Vizier's Concurrence." And the ſaid Warren Haſtings ſays, that the ſaid Daniel Octavius Barwell did, in a Letter to Mr. Middleton, report his Opinion of the good Faith of the ſaid Fyzoola Khan, and did inform the ſaid Middleton, that he the ſaid Barwell had himſelf aſſured

the ſaid Fyzoola Khan that he Fyzoola Khan had preſerved inviolate every Article of the Treaty of Lal Dang; but the ſaid Warren Haſtings does not believe or admit that the ſaid Fyzoola Khan had preſerved inviolate the ſaid Treaty. And the ſaid Warren Haſtings ſays, that it was repreſented to him and the Council at Calcutta, that the Vizier Aſſof o' Dowla did conſent to the Grant of the Company's Guarantee, on Condition that he ſhould receive the Preſents uſually offered on ſuch Occaſions; and that it was in like Manner repreſented that the ſaid Treaty and Guarantee was preſented to the ſaid Fyzoola Khan with great Solemnity; and that the ſaid Fyzoola Khan did deliver to the ſaid Daniel Octavius Barwell a Nuzzer of Two Elephants and Horſes, and a Lack of Rupees for the Vizier, and did offer a Lack of Rupees alſo for the Company, in Teſtimony of his Gratitude on that Occaſion. And the ſaid Warren Haſtings admits that the ſaid Daniel Octavius Barwell did not immediately accept the ſaid Money, but took an Obligation for the ſame, and that the ſaid Offer was communicated to the Board at Calcutta; and that the ſaid Warren Haſtings did propoſe, and that the Board, notwithſtanding the Objection of Mr. Francis, then a Member of the ſaid Board, did agree to accept the ſame for the Uſe of the Company, and that the ſame was accordingly ſo accepted; but the ſaid Warren Haſtings denies, that by the Whole or any Part of the Conduct of him the ſaid Warren Haſtings, in reſpect to the Matters aforeſaid, he has violated the Faith of the Company, or degraded the Engliſh Nation in the Eyes of India,

dia, or has broken any Treaty, or violated any Duty of the Truſt repoſed in him. And the ſaid Warren Haſtings ſays, that by the Treaty of Lal Dang, the ſaid Fyzoola Khan did engage, "That he would always whilſt he lived "continue in Submiſſion and Obedience to the "Nabob Vizier, and retain in his Service "Five thouſand Men, ſtipulated by the Nabob "Vizier, and not a ſingle Man more: That "with whomſoever the Nabob Vizier ſhould "engage in Hoſtilities, he would aſſiſt him; "and that if the Nabob Vizier ſhould ſend "an Army againſt any Enemy, he would "alſo ſend Two or Three thouſand of his "Troops to join them; and if the ſaid Vizier "ſhould go in Perſon againſt any Enemy, he "the ſaid Fyzoola Khan would perſonally attend him with his Forces. That he would "have no Connection with any Perſon but the "Nabob Vizier, and would hold no Correſpondence with any one (the Engliſh Chiefs "excepted): That whatever the Nabob Vizier "directed, he would execute; and that he "would at all Times, and on all Occaſions, "both in Adverſity and Proſperity, continue "his firm Aſſociate." And the ſaid Warren Haſtings admits, that it was not ſtipulated by the ſaid Treaty whether all or any of the ſaid Troops ſhould conſiſt of Cavalry: And he ſays, that the Reſident Middleton was, in the Year One thouſand Seven hundred and Seventy-eight, empowered to guarantee, and did in fact guarantee, the Treaty of Lal Dang aforeſaid; and that certain Doubts having occurred to Fyzoola Khan reſpecting the Guarantee of the ſaid Middleton, that he the ſaid Warren

Haſtings,

Haſtings, in order to ſatisfy thoſe Doubts, did, in or about the Month of May, One thouſand Seven hundred and Seventy-eight, propoſe to the Board to confirm, and in conſequence of a Reſolution of the Board did in fact confirm, the ſaid Treaty and Guarantee as Governor General as aforeſaid.

AND the ſaid Warren Haſtings, denying that he did diſregard the Pledge of his own private Honour, or that he did act in oppoſition to the Intent and Meaning of the ſaid Treaty, as he then knew or underſtood the ſame, ſays, that ſome Time in the Year One thouſand Seven hundred and Seventy-eight, a War having lately broke out between the Engliſh and French Nation, in which War the Nabob Vizier was engaged on the Part of the Eaſt India Company, the ſaid Fyzoola Khan did, about that Time, in a Letter addreſſed to Mr. Middleton, then Reſident at Oude, taking notice that the ſaid Fyzoola Khan had learnt that ſuch War had broken out between the Engliſh and French Nation, offer to furniſh Two thouſand Cavalry to be employed in the Service of the Company, which Offer the ſaid Governor General and Council did accept; and that Five hundred of thoſe Troops did accordingly ſerve under Major Briſco, a Britiſh Officer, and that in conſequence of Repreſentations made to the Board by the Commander in Chief, of the Neceſſity of increaſing the Force then under the Command of that Officer, and a reaſonable Cauſe exiſting for the ſame, the Board did unanimouſly reſolve to recommend to the Vizier to require from the ſaid Fyzoola Khan the Quota of Troops ſtipulated

lated by Treaty to be furniſhed by the ſaid Fyzoola Khan for his the ſaid Vizier's Service, and did repreſent the ſame as amounting to Five thouſand Horſe; but the ſaid Warren Haſtings admits, that the Repreſentation then made by him under ſuch Order of the ſaid Board, was erroneous in reſpect to the Force which the ſaid Fyzoola Khan was, by the Terms of the ſaid Treaty, obliged to furniſh. And the ſaid Warren Haſtings avers, that the Repreſentation aforeſaid was made in conſequence of mere Error and Miſtake on his Part, and, as he believes, alſo on the Part of every other Member of the Council. And the ſaid Warren Haſtings ſays, that the Board did afterwards, upon his Motion, deſire the ſaid Vizier to demand Three thouſand Horſe from the ſaid Fyzoola Khan, and the ſaid Vizier did accordingly demand the ſame, and the ſaid Fyzoola Khan was, as the ſaid Warren Haſtings believes, able to ſupply ſuch Force. And the ſaid Warren Haſtings denies that he did, at the Time of the making either of the ſeveral Demands above mentioned, know or believe that the ſaid Fyzoola Khan was not bound by Treaty or otherwiſe to furniſh the Quantity of Force at thoſe ſeveral Periods reſpectively demanded; nor as to the ſaid laſt mentioned Demand does the ſaid Warren Haſtings now admit that the ſaid Fyzoola Khan was, according to the Intent and Meaning of the Parties to the Treaty, not ſo bound. And the ſaid Warren Haſtings denies that, by all or any of the ſeveral Acts by him ſuppoſed to have been committed, or by all or any of the Premiſes herein contained, he did break the Company's Guarantee given to the ſaid Fyzoola Khan as aforeſaid, or excite the Vizier

to any Acts of Violence or Breach of Treaty againſt the ſaid Fyzoola Khan; and as to ſo much of the ſaid Fifth Article as reſpects the Powers wherewith the ſaid Warren Haſtings was or is ſuppoſed to have been inveſted, and whereby he was authorized to proceed to the ſaid Country of Oude, the ſaid Warren Haſtings humbly craves Leave to refer to his Anſwer already made to the Second Article, in that Behalf. And the ſaid Warren Haſtings admits that ſuch Treaty, called the Treaty of Chunar, was made, containing, amongſt other Things, the following Article: "That as Fyzoola Khan had, by his Breach of Treaty, forfeited the Protection of the Engliſh Government, and cauſed, by his Continuance in his preſent independent State, great Alarm and Detriment to the Nabob, that the ſaid Nabob ſhould be permitted, when Time ſhould ſuit, to reſume his Lands, and pay him in Money, through the Reſident, the Amount ſtipulated by Treaty, after deducting the Amount and Charges of the Troops he ſtood engaged to furniſh by Treaty, which Amount ſhould be paſſed to the Account of the Company during the Continuance of the War;" but the ſaid Warren Haſtings denies that he received the Sum of One hundred thouſand Pounds, or any other Sum of Money, as a Conſideration to him the ſaid Warren Haſtings for executing the ſaid Treaty, or that the Execution of ſuch Treaty was in any Manner influenced or procured thereby.

AND the ſaid Warren Haſtings, denying that he did, by making or executing the ſaid Article of the Treaty aforeſaid, corruptly or treacherouſly

treacherouſly break the Faith of the Company, admits, that he did, about the Time of executing the ſaid Treaty, communicate to the Members of the Supreme Council at Calcutta, his Reaſons for entering into the ſaid Article of the ſaid Treaty in the Manner and in the Terms ſuggeſted in the ſaid Fifth Article of Impeachment. And the ſaid Warren Haſtings admits that he did, ſome time in the Year One thouſand Seven hundred and Eighty-two, give Inſtructions to the ſaid Middleton to prevent the Vizier from reſuming the Jaghire of the ſaid Fyzoola Khan. And the ſaid Warren Haſtings denies that, in the making or executing the ſaid Treaty of Chunar, or by any Declaration or Inſtructions reſpecting the ſame, he was or is guilty of all or any of the Offences in the ſaid Fifth Article mentioned, or of any Offence whatſoever, or that he was guilty of any Diſregard to the Principles upon which Treaties between Nation and Nation ought to reſt, or that he placed the Eaſt India Company in ſuch a Situation as in the ſaid Fifth Article is deſcribed. And the ſaid Warren Haſtings ſays, that it having been communicated to him that a Plan was under the Vizier's Conſideration for propoſing to Fyzoola Khan to commute the uncertain Military Aid which the ſaid Fyzoola Khan was bound to furniſh for a pecuniary Subſidy, the ſaid Warren Haſtings did, in a Converſation with the ſaid Sir Elijah Impey, expreſs his Approbation of ſuch Plan; and he believes that ſuch Approbation was, in conſequence thereof, communicated by the ſaid Sir Elijah Impey to the ſaid Middleton; but the ſaid Warren Ha-

ſtings denies that, to his Knowledge or Belief, any Demand was actually made by the ſaid Middleton upon the ſaid Fyzoola Khan of ſuch Subſidy.

AND the ſaid Warren Haſtings ſays, that the ſaid Middleton did propoſe to the Governor General and Council, that a Ceſſion of his Jaghire ſhould be required from Fyzoola Khan, upon certain Conditions; but the ſaid Warren Haſtings denies that ſuch Ceſſion was ever, to his Knowledge or Belief, actually demanded by the ſaid Middleton from the ſaid Fyzoola Khan, or that the making of ſuch Demand was ever in any Manner authorized or approved by the Board.

AND the ſaid Warren Haſtings denies, that by entering into the Third Article of the Treaty of Chunar he did render the ſaid Fyzoola Khan liable to any contradictory Demands whatſoever. And the ſaid Warren Haſtings denies that he did, at the Time ſtated in the ſaid Fifth Article, or at any other Time whatſoever, in any Manner nominate Major Palmer, in the ſaid Fifth Article mentioned, to repair to Rampore, or ever empowered him to act with Fyzoola Khan as the private Agent of him the ſaid Warren Haſtings; but the ſaid Warren Haſtings ſays, that the ſaid Palmer was, about the Time mentioned in the ſaid Article, ſent to Lucknow and other Places with the Approbation of the Board for the Execution of certain public Purpoſes, and was, upon that Occaſion, verbally inſtructed by him the ſaid Warren Haſtings

ſtings to make certain Enquiries reſpecting the Affairs of the ſaid Fyzoola Khan. The ſaid Warren Haſtings however begs leave to inſiſt, that he was not, in reſpect of ſuch verbal Inſtructions, guilty of any criminal Concealment, or that he acted in any Manner contrary to the Duties of his Station. And the ſaid Warren Haſtings ſays, that he does not know or believe that the ſaid Middleton did demand from the ſaid Fyzoola Khan, a Force to be made ſtationary at Lucknow in the Province of Oude. And the ſaid Warren Haſtings ſays, that the Board of Council at Calcutta did, in the Month of September, One thouſand Seven hundred and Eighty-two, at the Inſtance and upon the Recommendation of the ſaid Warren Haſtings, remove the ſaid Mr. Middleton from the Reſidency of Lucknow in the Province of Oude, and appoint the ſaid Mr. Briſtow Reſident in his Place, with full Power and Authority to diſcharge the Duties of the ſaid Office. And the ſaid Warren Haſtings ſays, that it was repreſented to him the ſaid Warren Haſtings, that the ſaid Mr. Briſtow did, ſoon after his Appointment, endeavour to procure, on the Behalf of the Vizier, through a certain Perſon called Alliff Khan, Vakeel of Fyzoola Khan, a Pecuniary Aid from the ſaid Fyzoola Khan, in lieu of the Military Aid which the ſaid Fyzoola Khan was obliged to furniſh, agreeable to the Stipulations in the ſaid Treaty of Lal Dang; but the ſaid Warren Haſtings does not underſtand or believe that ſuch Pecuniary Aid was ever required by the ſaid Briſtow, otherwiſe than in lieu of, and as a Commutation for Military Aid: And the ſaid Warren Haſtings

admits that the ſaid Fyzoola Khan was not bound to ſupply ſuch Pecuniary Aid. And the ſaid Warren Haſtings ſays, that the ſaid Mr. Briſtow did, ſoon after his ſaid Appointment, in a Letter dated the Nineteenth December, One thouſand Seven hundred and Eighty-two, and addreſſed by him to the Governor General and Council at Bengal, repreſent that he had, in Obedience to their Commands, adviſed the Nabob Vizier to concert and form a new and permanent Agreement with the Nabob Fyzoola Khan, which might obviate all future Signs of Jealouſy or Diſtruſt; that the Mode which his Excellency had thought the moſt eligible to effect thoſe Purpoſes, was the Deputation of a Gentleman, who ſhould be authorized to ſettle all diſputed Points; and that he took the Liberty to recommend, that Major William Palmer ſhould undertake that Service: And that the ſaid Mr. Briſtow did, by another Letter, dated the Thirtieth Day of December, One thouſand Seven hundred and Eighty-two, addreſſed to the ſaid Governor General and Council, repreſent, that the ſaid Mr. Briſtow had given the ſaid Major Palmer certain Inſtructions, in Obedience to the Commands of the Vizier. But the ſaid Warren Haſtings, admitting that the Appointment of Major Palmer was afterwards approved by himſelf and the reſt of the Board at Calcutta, denies that the ſaid Major Palmer was in any Manner ſo deputed, for the Purpoſe of carrying into Execution, any unjuſt or arbitrary Plans of him the ſaid Warren Haſtings. And the ſaid Warren Haſtings ſays, that the ſaid Major Palmer was particularly directed by himſelf and the reſt of the

Board at Bengal, in a Letter to Mr. Briſtow, bearing Date the Twenty-third of January, One thouſand Seven hundred and Eighty-three, to endeavour to convert the Stipulation for Troops into a fixed Subſidy. And the ſaid Warren Haſtings denies that a Supply of Money was upon any other Ground, or in any other Manner than is above ſtated, endeavoured to be obtained from the ſaid Fyzoola Khan, by the Direction of him the ſaid Warren Haſtings, or by the Direction of any other Perſon whatſoever, to the beſt of his Knowledge and Belief.

AND the ſaid Warren Haſtings further ſays, that at the Time when he, together with the reſt of the Board at Calcutta, did recommend that the Stipulation for Troops ſhould be converted into a fixed Subſidy, he did alſo, together with the ſaid Council, by the ſame Letter, declare, " That if Fyzoola Khan ſhould refuſe " to treat for a Subſidy, and claim the Benefit of " his original Agreement in its literal Ex- " preſſion, he poſſeſſed a Right which they " could not diſpute." And the ſaid Warren Haſtings ſays, that he, together with the ſaid Board, did, at the ſame Time, and by the ſaid laſt mentioned Letter, ſtate to the ſaid Briſtow that in caſe the ſaid Fyzoola Khan ſhould refuſe to treat for a Subſidy, it would in that Caſe remain only to fix a preciſe Number of Horſe which he ſhould furniſh, which ought at leaſt to exceed Two thouſand Five hundred; but that alſo was to be left for diſcretional Adjuſtment. And the ſaid Warren Haſtings apprehends, that the ſaid Fyzoola Khan was, according to the true Intent and Meaning of the ſaid

Treaty

Treaty of Lal Dang, bound to furniſh the ſaid laſt mentioned Number of Horſe. And the ſaid Warren Haſtings ſays, that the Board at Calcutta did, by the Letter laſt mentioned, communicate through Mr. Briſtow the Reſident aforeſaid, to the ſaid Major Palmer, Inſtructions, amongſt other Things, "to demand the Surrender of all the Ryotts of the Nabob Vizier's Dominions, to whom Fyzoola Khan had given Protection and Service, or an annual Tribute, in Compenſation for the Loſs ſuſtained by the Nabob Vizier in his Revenue thus transferred to Fyzoola Khan, declaring that his Encouragement of the Defection of the Subjects of his Sovereign Lord, and his Acceptance of their Allegiance, was contrary to the moſt ancient and fundamental Laws of the Conſtitution of Hindoſtan, and a Crime againſt the Nabob Vizier his Sovereign; and taking notice that the ſaid Briſtow had ſtated the Increaſe of his Jaghire, occaſioned by that Act, at the moderate Sum of Fifteen Lacks, they declared that the Tribute ought to be at leaſt One Third of that Amount." And the ſaid Warren Haſtings inſiſts, that the Inſtruction laſt mentioned was warranted by Information received by the ſaid Board, to the Effect ſtated in that Letter; and which Information the ſaid Warren Haſtings then believed to be true, although he admits he did afterwards receive Intelligence from Major Palmer that ſuch Information was not well founded, in the Extent in which the ſaid Warren Haſtings had before believed the ſame to be true, and that the ſaid Demand had been on that Account waved; which Intelligence from

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the ſaid Major Palmer was accordingly laid before the Board, who were ſatisfied therewith. And the ſaid Warren Haſtings ſays, that the ſaid Major Palmer did not, under the Authority of him the ſaid Warren Haſtings, exact from the ſaid Fyzoola Khan the Payment of the ſaid Sum of Money ſtated in the ſaid Fifth Article, but under the joint Authority of the Vizier, and the Governor General and Council, did make an Agreement with the ſaid Fyzoola Khan, that the ſaid Fyzoola Khan ſhould pay a large Sum of Money, amounting to Fifteen Lacks of Rupees, in Conſideration of the Remiſſion of the Military Aid, with which he was by the Treaty of Lal Dang bound to furniſh the ſaid Vizier; and that the ſaid Fyzoola Khan was well ſatisfied with the Terms of that Agreement, and the Conſideration for ſuch Payment.

AND the ſaid Warren Haſtings denies, that ſuch Payment was exacted, or that the ſame was obtained under any falſe Pretence whatſoever. For the ſaid Warren Haſtings denies, that any Doubts entertained by the ſaid Vizier and the ſaid Fyzoola Khan, or either of them, reſpecting the Number and Deſcription of thoſe Troops, with which he was bound to ſupply the ſaid Vizier, were created or raiſed by him the ſaid Warren Haſtings, or that he was guilty of any faithleſs or improper Conduct in reſpect to the Premiſes in the ſaid Fifth Article mentioned. And the ſaid Warren Haſtings admits, that it was ſtipulated between the ſaid Palmer, and the ſaid Fyzoola Khan, that the ſaid Sum of Money ſhould be paid by certain periodical Payments. And the ſaid Warren Haſtings ſays,

that

that in the Year One thouſand Seven hundred and Eighty-four, finding that Two Lacks of the above ſtipulated Sum were then in regular Courſe of Payment, and that the remaining Three were not due by Stipulation till the next Seaſon, he did, with a View to the ſpeedy and final Adjuſtment of that Account, and the Convenience of the Public Service, but not in Diſregard of any Stipulations on this Subject, intimate to the Vakeel of the ſaid Fyzoola Khan his Wiſh to have both Payments immediately concluded, and that the ſame were in Compliance with ſuch Requeſt of the ſaid Warren Haſtings accordingly made.

AND the ſaid Warren Haſtings denies, that he did by all or any of the ſuppoſed Acts or Deeds in the ſaid Fifth Article ſet forth, or in reſpect of any of the Premiſes, violate any Ties of Honour or Conſcience, or in any Manner betray his Truſt. And the ſaid Warren Haſtings further denies, that all or any of the Acts by him done were productive of any ſuch Conſequences as are ſtated in the ſaid Fifth Article, or that in or by all or any of the Premiſes, he was or is guilty of any Crime or Miſdemeanour whatſoever.

SIXTH

SIXTH ARTICLE.

AND the ſaid Warren Haſtings, in Anſwer to the ſaid Sixth Article, ſays, that he did on the Tenth Day of February, in the Year One thouſand Seven hundred and Sixty-nine, by an Indenture of that Date made between the Eaſt India Company and himſelf, covenant, that he would not at any Time during his being employed in the ſaid Company's Service, in any Station or Capacity whatſoever, accept, take, or receive any Gift, Reward, Gratuity, Allowance, or Donation, from any of the Indian Princes, or any of their Miniſters, Servants, or Agents, exceeding the Value of Four thouſand Rupees, without the Licence or Conſent of the Court of Directors of the ſaid Company, nor any ſuch Reward, Gratuity, Allowance, or Donation, exceeding the Value of One thouſand Rupees, and under the Value of Four thouſand Rupees, without the Licence or Conſent of the Preſident and Council for the Time being, of the Preſidency, or Settlement, where the ſaid Warren Haſtings ſhould be employed.

AND the ſaid Warren Haſtings further ſays, that by an Act of Parliament paſſed in the Thirteenth Year of the Reign of His preſent Majeſty, the Receipt of Preſents by the Servants of the Eaſt India Company was prohibited in the Manner ſtated in the ſaid Act.

AND the ſaid Warren Haſtings admits, that a Salary amounting to Twenty-five thouſand Pounds a Year, together with certain other Emoluments, was provided for the Office of Preſident and Governor General by the Eaſt India Company, and by the Act of Parliament aforeſaid; and that he did in fact receive the ſaid Salary, and enjoy the ſaid Emoluments. And the ſaid Warren Haſtings denies that he did, either before or ſince the paſſing of the ſaid Act, or whilſt he continued ſuch Preſident and Governor General as aforeſaid, extort, or corruptly, illegally, or criminally take, accept, or retain any Sum or Sums of Money, as Preſents, Gifts, Donations, Gratuities, or Rewards, or in any other corrupt, illegal, or criminal Manner whatſoever; or that he was in any ſuch Reſpect guilty of any Violation of the Duties of his Office, or did act in Defiance of the Act of Parliament above mentioned, or in Contradiction to his Underſtanding of the ſame.

AND the ſaid Warren Haſtings further ſays, that he did not fraudulently ſolicit any Loan from Rajah Nubkiſhen, as in the ſaid Sixth Article is ſuggeſted: But the ſaid Warren Haſtings ſays, that he did receive from the ſaid Nubkiſhen the Sum in the ſaid Sixth Article mentioned, for the Uſe and Benefit of the Eaſt India Company; and did afterwards inform the Directors of the Eaſt India Company that he had received ſuch Sum of Money for their Uſe. And he further ſays, that having incurred certain Expences in his public Capacity for public Uſes, and properly chargeable to the ſaid Company, and which he had omitted to

charge in his official Accounts to the ſaid Company at the Periods in which ſuch Expences had been reſpectively incurred, he did apply the ſaid Sum of Money in Satisfaction of thoſe Expences, a particular and ſufficient Account whereof, was by him tranſmitted to the Court of Directors. And the ſaid Warren Haſtings further ſays, that he did, at or about the ſeveral Times in the ſaid Sixth Article mentioned, receive from Saddanund, the Buxey or Treaſurer of Cheyt Sing, from Aſſof o' Dowla, the Nabob of Oude, and from a Perſon called Nundoololl, the ſeveral Sums charged in the ſaid Sixth Article to have been reſpectively received by him from the ſaid ſeveral Perſons. But he ſays, that he did not take, accept, or receive the ſame, or any of them, or any Part thereof, for his own Uſe or Benefit, or with any Intent or Purpoſe ſo to apply the ſame, or with any corrupt or criminal Intent or Purpoſe whatſoever; and that the ſame, and every of them, and every Part thereof, were by him reſpectively accepted and received, during a Period of great public Exigency, for the ſole Uſe and Benefit of the Eaſt India Company; and he avers that the ſame, and every of them, and every Part thereof, were accordingly ſo applied.

AND the ſaid Warren Haſtings denies, That he did ever, in any Manner, contrary to his Duty, or injurioufly to the Intereſts of the ſaid Eaſt India Company, or of the Britiſh Nation, let any Lands to Kyalleram and Cullian Sing, or either of them, as in the ſaid Sixth Article is alledged; but the ſaid Warren Haſtings ſays, that the Governor General and Coun-

cil, but not he the ſaid Warren Haſtings alone, did let the ſaid Lands to the ſaid Perſons, from whom he did accept and receive, in conſideration thereof, an Obligation or Security for the Sum in the ſaid Article mentioned; and he ſays, that the Terms upon which the ſaid Lands were letten, were proper to be made, and were advantageous to the ſaid Company, for whoſe Uſe and Benefit the ſaid Security was taken as aforeſaid: And he further ſays, that the whole of the Sum received upon the ſaid Security was accordingly ſo applied.

AND the ſaid Warren Haſtings further ſays, that the Governor General and Council did, on divers Days and Times, in the Year One thouſand Seven hundred and Seventy-five, legally and regularly meet: But the ſaid Warren Haſtings denies, that he was, at the Time of any ſuch Meetings, ever charged with the Receipt of the Sum of Money in the ſaid Sixth Article alledged to have been extorted by Contoo Bauboo, from Maha Ranny Bowannee, or that ſuch Receipt or Tranſaction was ever proved before the ſaid Council.

AND the ſaid Warren Haſtings admits, that the Court of Directors did write a Letter to the Effect in the ſaid Sixth Article ſtated; and he ſays, that Munny Begum was, by a Vote of the Preſident and Council, the ſaid Warren Haſtings being then Preſident, and recommending that Meaſure, appointed to the Office of Guardian of the Nabob Mobaurek o' Dowla, to which Office the ſaid Warren Haſtings avers, it was then proper and expedient to ap-

point

point the ſaid Munny Begum; and he denies, that ſuch Appointment did inveſt her in any Degree with the Government of his Dominions, if by that Expreſſion is meant the Government of Bengal, or was contrary to the Orders of the Court of Directors, or that the ſame was to the Prejudice of the Rights and Intereſt of the ſaid Company, or of the Nation.

AND the ſaid Warren Haſtings ſays, that by a Reſolution of the Preſident and Council, he the ſaid Warren Haſtings being then Preſident, and concurring therein, Khan Jehan Khan was appointed to ſuch Office, as is in the ſaid Sixth Article ſtated, which the ſaid Warren Haſtings admits to have been a Place of Truſt and Profit, and to have had ſuch Salary annexed to it, as is ſtated in the ſaid Article; but the ſaid Warren Haſtings denies, that any ſuch Agreement was made between him, and the ſaid Khan Jehan Khan, as in the ſaid Sixth Article is ſtated.

AND the ſaid Warren Haſtings ſays, that at a Meeting of the Council held on the Thirtieth March, One thouſand Seven hundred and Seventy-five, a Charge was made againſt him, the ſaid Warren Haſtings, but not by the Majority of the Council, touching a certain Sum of Money ſuppoſed to have been by him received from the ſaid Khan Jehan Khan; and he ſays that the ſaid Meeting was by the Board unanimouſly diſſolved, on the ſaid Thirtieth March.

AND

AND the ſaid Warren Haſtings further ſays, that he did, on the Thirty-firſt March, One thouſand Seven hundred and Seventy-five, diſſolve a Council then held; but he ſays that ſuch Diſſolution was not for the Purpoſe of preventing an Enquiry into any Charge againſt him, he the ſaid Warren Haſtings having, by a Minute, dated Thirteenth March, One thouſand Seven hundred and Seventy-five, pointed out a Method to the ſaid Majority, by which any ſuch Enquiry might be as effectually proſecuted in his Abſence as before a Meeting of the Governor General and Council, at which the ſaid Warren Haſtings ſhould preſide as Governor General; and to which Minute he did, on the ſaid Thirty-firſt of March, refer the ſaid Majority, in order that ſuch Method of Enquiry might by them be adopted; and he denies that ſuch Diſſolution was arbitrary, illegal, or improper. And the ſaid Warren Haſtings denies that any Charge was, at the Time of ſuch laſt mentioned Diſſolution, made againſt him by the ſaid Majority; and he ſays, that on the Nineteenth May following, at a Council then held, he did, in the Courſe of certain Enquiries then depending, for certain Reaſons which he then ſtated, object to the ſaid Khan Jehan Khan being examined upon Oath; but he denies that he did ever illegally or violently attempt to prevent, or did prevent, the ſaid Khan Jehan Khan, or any other Perſons, from giving Teſtimony on Oath before the ſaid Council; and he denies that he did, in all or any of the Reſpects above ſtated, violate his Duty as Governor General, or act in Defiance of any Act of Parliament.

AND

AND the ſaid Warren Haſtings denies that he ever did, whilſt he continued ſuch Preſident or Governor General, as aforeſaid, appoint any Perſon or Perſons to any Office or Offices, for Gift or Brocage, or in conſideration of any Sum or Sums of Money whatſoever, or that he ever did corruptly, illegally, or extorſively receive or accept from any Perſon or Perſons any Sum or Sums of Money, in conſideration of his, or their Appointment, to any Office or Offices, either before or after their Admiſſion thereto. And the ſaid Warren Haſtings further denies that he has concealed, or kept ſecret any Receipt of Money, as in the ſaid Article is ſuggeſted. And the ſaid Warren Haſtings denies that he has, in reſpect of all or any of the ſeveral Matters ſtated in the ſaid Sixth Article, violated any of the Duties of his Station, ſubverted good Government, ſhewn an evil Example to the Servants of the Eaſt India Company, been guilty of Corruption, Peculation, or Extortion, or has acted in Defiance of any Act of Parliament, or was or is guilty of any Crime or Miſdemeanour whatſoever.

SEVENTH ARTICLE.

IN Anſwer to the Seventh Article, the ſaid Warren Haſtings denies, that by the Laws and Cuſtoms of Bengal, according to ſuch Information as he has been able to procure reſpecting them, the Zemindars have, or have been

been generally held or reputed to have, ſuch Rights of Property in the Lands of Bengal, as are in the ſaid Seventh Article ſtated; but he ſays, they are poſſeſſed of certain qualified Rights of Property therein, which he believes have been charged with Debts, and under certain Limitations ſold, and otherwiſe conveyed: And he further ſays, that other Natives, called Taalookdars or Ryots, hold ſubordinate Rights of Property or Occupancy in the ſaid Lands; and that the greater Part of the ſaid Natives are Hindoos, whoſe Rights and Privileges are grounded upon regular Grants; and that the Eſtates derived thereunder have, in ſome Inſtances, been enjoyed in a Courſe of Family Succeſſion, and acquired by Purchaſe, ſubject however to the Right of the Sovereign Power to derive a Revenue from the Lands, adequate to their real Value, and to make Ordinances and Regulations reſpecting ſuch Revenues and Lands, not inconſiſtent with the Rights of ſuch Zemindars.

AND the ſaid Warren Haſtings has heard and believes, That Bengal was under the Dominion of the Mogul, and ſubject to a Mohammedan Government, for above Two hundred Years.

AND the ſaid Warren Haſtings does not know, or believe it to be true, that while the Mogul Government was in its Vigour, the State of Property in the Zemindars was ſuch as in the ſaid Seventh Article is ſtated, or that the Rent of the Provinces had not been materially altered, from the Year One thouſand Five hundred and Seventy-three to the Year One thouſand

Seven

Seven hundred and Forty; or that in the Year One thouſand Seven hundred and Forty the regular and effective Mogul Government ended.

AND the ſaid Warren Haſtings ſays, he has been informed that, from the ſaid laſt-mentioned Period, to the Year One thouſand Seven hundred and Sixty-five, Invaſions, Uſurpations, and various Revolutions, did take place in the Government of Bengal; in conſequence of which, and of other Circumſtances, the Country was conſiderably reduced and impoveriſhed, and that in the Year One thouſand Seven hundred and Sixty-five, the Eaſt India Company received from the preſent Mogul Emperor Shah Aallum a Grant of the Dewanny of Bengal, Ba- and Oriſſa. And the ſaid Warren Haſtings admits, that there was, about the Year One thouſand Seven hundred and Seventy, a Famine in the Provinces of Bengal and Bahar, by which he has heard that a great Number of the Inhabitants periſhed; and he has alſo heard, that the Revenue was, in the Two Years immediately preceding the Appointment of the ſaid Warren Haſtings to the Government of Fort William, kept up to its former Standard, and collected from the remaining Inhabitants; and that the Country was impoveriſhed.

AND the ſaid Warren Haſtings ſays, that he knew of the Effects produced by the ſaid Famine; and that the Collections of Revenue in the ſaid Provinces, prior to the Appointment of the ſaid Warren Haſtings to the ſaid Government, had contributed to increaſe the Diſtreſs of the ſaid Country, and were likely to produce

a Decay of the Revenue, unleſs Means were adopted to prevent ſuch Decay.

AND he admits, that it was his Duty, when appointed to the Government of Fort William, to apply ſuch Means for that Purpoſe as were within his Judgment and Power.

AND the ſaid Warren Haſtings, denying that the Knowledge and Judgment which he entertained at the Time referred to in the ſaid Seventh Article, reſpecting the Rights of Zemindars, and the Advantages to be expected from entruſting to them the Collections of the Revenues, are therein fully and truly ſet forth, craves leave to refer to a Letter written and tranſmitted by himſelf and the Council to the Court of Directors on the Third Day of November, One thouſand Seven hundred and Seventy-two, which Letter contains at large the then Knowledge and Judgment of him the ſaid Warren Haſtings upon thoſe Subjects; and from which Letter the ſaid Warren Haſtings apprehends that the Matters referred to in the ſaid Article are extracted.

AND the ſaid Warren Haſtings ſays, that the Court of Directors having reſolved to ſtand forth as Dewan, and by the Agency of the Company's Servants to take upon themſelves the entire Care and Management of the Revenues of Bengal; and having directed that the Preſidency of Fort William ſhould plan and execute this important Work, and adopt ſuch Regulations and purſue ſuch Meaſures as ſhould at once ſecure to the Company every poſſible Advantage,

vantage, and free the Ryots from the Oppreſſions of the Zemindars and petty Tyrants, the ſaid Warren Haſtings did, in the Year One thouſand Seven hundred and Seventy-two, ſoon after his taking Charge of the Office of Preſident of Fort William, diligently undertake the ſaid important Work; and having employed the beſt Means in his Power of procuring Information on a Subject then much involved in Difficulties and Obſcurity, the ſaid Warren Haſtings did, with the unanimous Concurrence of the then Council of the Preſidency of Fort William, form and carry into Execution ſuch Plan for the Collection and Management of the Revenues of the Province of Bengal, and for the internal Government thereof, as upon mature Conſideration appeared to the ſaid Warren Haſtings moſt conformable to the Orders and Intention of the Court of Directors, and beſt calculated to promote the Ends propoſed.

AND the ſaid Warren Haſtings ſays, that certain new Regulations having been completed and publickly notified, the Revenues were ſettled for a Period of Five Years, upon ſuch Terms as to the Preſident and Council appeared reaſonable and juſt, with a progreſſive and accumulating Increaſe on each of the Four laſt Years of the ſaid Settlement; but he denies that ſuch Settlement of the ſaid Revenues was made at a higher Rate than had ever been received before.

AND the ſaid Warren Haſtings denies that, in reſpect of the ſaid Settlement, he acted in any ſuch Manner, or was guilty of

any ſuch Offences as are ſtated in the ſaid Seventh Article, or that the ſaid Settlement, ſo formed, was, in any Reſpect, unjuſt, inexpedient, or improper.

AND the ſaid Warren Haſtings, denying that, in the Meaſures herein after mentioned, he acted with a View to accompliſh any iniquitous Purpoſe whatſoever, alledges it to have been a Part of the Plan herein before mentioned, that the Lands of Bengal ſhould be let out in Farms; and the ſaid Preſident and Council, he the ſaid Warren Haſtings being then Preſident, did accordingly publiſh their Intention ſo to do, and did invite all Perſons to make Propoſals for farming the ſaid Lands; but he ſays, that ſuch Mode having failed of its intended Effect, it was deemed expedient to put up the Lands to public Auction; and the Lands were accordingly let in that Mode, at the uſual Seaſon. And the ſaid Warren Haſtings ſays, that the ſaid Lands were, prior to ſuch letting, in the Poſſeſſion of divers Zemindars, Talookdars, Farmers, and others; and that a Change of Poſſeſſion did, in ſome Inſtances, take place; but that, in every Inſtance, a Preference was given to the Zemindar who was willing to give what was conſidered to be an adequate Rent for the Lands; and that an Allowance was made to the Zemindar, whenever his Propoſal was rejected, agreeably to the ancient Uſages of the Country. And the ſaid Warren Haſtings further ſays, that, in ſome Inſtances, the Lands were let to Perſons who were the Banyans of Britiſh Subjects. And the ſaid Warren Haſtings ſays, that, notwithſtanding many Precautions were uſed to prevent it,

Part of the ſaid Lands fell into the Hands of ſome Perſons who proved, in the Event, unable to perform their Engagements with the Company; but he denies that ſuch Event was foreſeen by him. And the ſaid Warren Haſtings avers that, in making the Settlement aforeſaid, the Preſident and Council, he being then Preſident, did pay every Attention to the State of the Country and its Inhabitants which Policy and Humanity required; and denies that the ſaid Settlement, either in Fact was, or did in Form appear to be, of ſuch Kind, or calculated for ſuch Purpoſes, or productive of ſuch Effects, as are in the ſaid Seventh Article, in that Behalf, ſet forth; but he admits that it did afterwards appear, that the Zemindars and Farmers had engaged for a higher Rent than the Diſtricts could afford, and that the real Receipts did fall conſiderably, but not unuſually, ſhort of the Settlement; but as to the Amount of ſuch Deficiency, and the particular Periods thereof, the ſaid Warren Haſtings craves Leave to refer to the public Accounts and Proceedings of the ſaid Preſidency, touching the ſame.

AND the ſaid Warren Haſtings, denying that he was a Party to, or in any Manner concerned in, or anſwerable for, any Impoſition, Fraud, Peculation, or Embezzlement, ſays, that the Court of Directors of the Eaſt India Company, having received Intelligence of Peculation and Embezzlement ſuppoſed to have been committed by ſome of the Perſons conſtituting the Committee of Circuit, at a Time when he the ſaid Warren Haſtings had ceaſed to act in the ſaid Committee, did direct Proſecutions againſt

againſt ſuch Perſons, and againſt all other proper Parties, which Proſecutions, he admits, never proceeded to Trial: But he ſays that, in conſequence of a Report from the Advocate General, to whom the Subject had been referred by the Governor General and Council, the ſaid Warren Haſtings did, in the Year One thouſand Seven hundred and Eighty-four, declare, that having attentively read and weighed the Arguments urged by the Advocate General in his Report concerning the Proſecutions long depending in the Supreme Court of Judicature, he the ſaid Warren Haſtings was clearly of Opinion, that there was no Ground to maintain them; and as it was manifeſt from his the ſaid Advocate General's State of them, they would only be productive of Expence to the Company, and unmerited Vexation to the Parties; he the ſaid Warren Haſtings propoſed, that Orders ſhould be given for withdrawing them, which Orders were accordingly given by the Board.

AND the ſaid Warren Haſtings further ſays, that previous to the Settlement herein before mentioned, he admits that he did, in concurrence with the Council, eſtabliſh certain Regulations to be obſerved in executing the ſame, amongſt which were the Two following: "That "the Farms ſhould conſiſt of entire Pergaſ- "nas, provided they did not exceed the An- "nual Amount of One Lack of Rupees, in "which Caſe they ſhould be divided into ſuch "equal Proportions as ſhould reduce the "Amount of each conſiderably below that "Sum, unleſs the acknowledged Reſponſibility "and good Character of the Farmer ſhould ſup-

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" port his Pretenſions to rent the whole Per-
" gana; and that all Villages or Portions of
" Land which had been theretofore let in ſepa-
" rate Farms, ſhould be re-annexed to the Per-
" ganas to which they originally belonged."
—" That no Peſhcar Banyan, or other Servants,
" of whatever Denomination, of the Collector,
" or Relation or Dependant of any ſuch Ser-
" vant, be allowed to farm Lands, nor di-
" rectly or indirectly to hold a Concern in any
" Farm, nor to be Security for any Farmer:
" That the Collector be ſtrictly enjoined to
" prevent ſuch Practices; and that if it ſhould
" be diſcovered that any one, under a falſe
" Name, or any Kind of Colluſion, had found
" Means to evade that Order, he ſhould be ſub-
" ject to an heavy Fine, proportionate to the
" Amount of the Farm, and the Farm ſhould
" be re-let or made Khas; and if it ſhould ap-
" pear that the Collector ſhould have counte-
" nanced, approved, or connived at a Breach
" of that Regulation, he ſhould ſtand, *ipſo facto*,
" diſmiſſed from his Collectorſhip: Neither
" ſhould any European, directly or indirectly,
" be permitted to rent Lands in any Part of
" the Country."

AND the ſaid Warren Haſtings ſays, that Contoo Bauboo, Banyan of him the ſaid Warren Haſtings, was accepted by the ſaid Preſident and Council, as the Renter, on his own Account, of ſeveral conſiderable Farms, of Part of which he had been ſome Time, and before the Arrival of the ſaid Warren Haſtings in Bengal, in Poſſeſſion; and that, in the Abſence, and without the Knowledge of the ſaid Warren

Haſtings, the ſaid Contoo Bauboo was accepted by the ſaid Council as Security for other Farms; but what was the Annual Amount thereof the ſaid Warren Haſtings cannot ſet forth: and he alſo admits that the ſaid Contoo Bauboo was afterwards permitted by the Preſident and Council, he the ſaid Warren Haſtings being ſuch Preſident, to relinquiſh Two of the ſaid Farms; but the ſaid Warren Haſtings denies that in all or any of the Matters aforeſaid he was guilty of any Violation of the ſaid Regulations, or of the public Truſt repoſed in him, or of the Duty of his Station, as in the ſaid Article is charged, or that he was in the whole, or any Part of the Tranſaction aforeſaid, guilty of any Colluſion with his Servant, or Fraud on the Eaſt India Company.

AND the ſaid Warren Haſtings admits that he was of Opinion, that Innovations in the Management and Collection of the Revenues of Bengal were in general liable to many of the Objections in the ſaid Seventh Article, in that Behalf, ſet forth; and that he has upon different Occaſions declared ſuch to be his Opinion, and that the Court of Directors did, in the Year One thouſand Seven hundred and Seventy-ſeven, declare their Apprehenſion that a ſudden Tranſition from one Mode to another, in the Inveſtigation and Collection of their Revenues in Bengal, might have alarmed the Inhabitants, particularly the Native Zemindars and Landholders, leſſened their Confidence in the Stability of the Company, and been attended with other Evils; yet, as it was acknowledged on all Hands that the Meaſures alluded to

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in that Letter produced the good Effect of aſcertaining, with a ſufficient Degree of Preciſion, what Revenue might be collected from the Country without Oppreſſion, they ſhould avail themſelves of that Information, and were pleaſed to find it in their Power to yield proper Relief to the Natives, without involving the Company in the leaſt Inconvenience. The ſaid Warren Haſtings however did conſider it to be his Duty, and he did accordingly, from the Commencement of his Government, in the Year One thouſand Seven hundred and Seventy-two, to the Year One thouſand Seven hundred and Eighty-one, whilſt he bore the ſeveral Offices of Preſident and Governor General as aforeſaid, introduce, and in concurrence with the Council carry into Execution, many different Meaſures, for the Purpoſe of improving the Mode of Settlement, Collection, and Management, of the Territorial Revenues of Bengal; but he denies that in the Introduction or Execution of ſuch Meaſures he acted in ſuch Manner, or that the ſaid Meaſures were of ſuch Nature, as in the ſaid Seventh Article is ſtated.

AND the ſaid Warren Haſtings ſays, that he did, as Preſident of the Preſidency of Fort William, immediately after his taking Charge of the ſaid Office, in April, One thouſand Seven hundred and Seventy-two, in concurrence with the Council of the ſaid Preſidency, aboliſh the Office of Naib Dewan, or Native Collector of the Revenues, then exiſting, and at the ſame Time did appoint a Committee of the Board to go on a Circuit through the Provinces, and to form a Settlement of the Revenues for

Five Years; and that he did with the like Concurrence, and at the ſame Period of Time, continue the Company's Servants in the Management of the Collections, One of ſuch Servants being left in each Diſtrict under the new Title of Collector, inſtead of the former Title of Superviſor, and with ſome Alteration in the Nature of their Employment, adapted to the new Syſtem then eſtabliſhed; and that he did, with the like Concurrence, and in the ſame Year, aboliſh the General Board of Revenue at Moorſhedabad, for which laſt Meaſure ſuch Reaſons were aſſigned, amongſt others, as are in the ſaid Seventh Article in that Behalf mentioned.

AND the ſaid Warren Haſtings further ſays, that in November, One thouſand Seven hundred and Seventy-three, with the like Concurrence, he transferred from the Collectors to ſeveral Councils of Revenue, commonly called Provincial Councils, the Collection and Management of the Revenues. And the ſaid Warren Haſtings admits, that he has declared an Opinion in favour of the Plan of Provincial Councils; but as to the particular Advice given by him to the Governor General and Council in his Minute of the Twenty-fifth of October, One thouſand Seven hundred and Seventy-four, and the Declaration contained in the Plan for the future Settlement of the Revenues, tranſmitted to the Court of Directors on the Twenty-ſecond April, One thouſand Seven hundred and Seventy-five; and as to the Proviſions contained in another Plan for the better Adminiſtration of Juſtice, tranſmitted to the Court of Directors on the Eighteenth January, One

thouſand Seven hundred and Seventy-ſix; and the Draught or Scheme of an Act of Parliament for the better Adminiſtration of Juſtice in the Provinces, tranſmitted to the Court of Directors on Thirtieth April, One thouſand Seven hundred and Seventy-ſix, the ſaid Warren Haſtings humbly begs to refer your Lordſhips for the Contents of the ſaid Minute, and the ſaid ſeveral Inſtruments, to the ſaid Minute and Inſtruments, when the ſame ſhall be produced; and that your Lordſhips will be pleaſed to take into Conſideration the Occaſion and the ſeveral Circumſtances under which the ſame were reſpectively made.

AND the ſaid Warren Haſtings admits, that with the like Concurrence of the Council he did detach from the general Province of each Council certain Diſtricts, which it was deemed expedient, for the better Management thereof, to form into ſeparate Collectorſhips, and that ſome additional Expence was thereby created to the Eaſt India Company. But he denies that in ſo doing he did invade, alter, or violate the Principles on which the Syſtem of Provincial Councils was profeſſedly founded; or that the ſaid Meaſure was of the Nature, induced by the Motives, calculated for the Purpoſes, or productive of the Effects, in the ſaid Seventh Article ſtated.

AND the ſaid Warren Haſtings denies, that he ever knew or believed the ſaid Meaſure to be ſuch as is repreſented in the ſaid Seventh Article. And although he admits that he did in Council, on the Nineteenth January, One thouſand Seven hundred and Seventy-nine, make uſe of

the Expreſſion in the ſaid Seventh Article in that Behalf ſet forth, yet he denies that he did thereby avow, or mean to avow, or had in fact been guilty of any Corruption, Breach of Truſt, or Miſgovernment; or did uſe any ſcandalous or criminal Juſtification of his Actions; or that he was guilty of any criminal Actions; or that he had reduced the Government to the State deſcribed in the ſaid Seventh Article, or that he had for the Two Years preceding the ſaid Nineteenth January, One thouſand Seven hundred and Seventy-nine, or for any Part of that Time, poſſeſſed the abſolute or uncontrolled Power of Government, by virtue of his caſting Voice in Council, as in the ſaid Seventh Article is ſtated.

AND the ſaid Warren Haſtings admits, that the Court of Directors did ſend Orders to the Governor General and Council, dated the Fifth of February, One thouſand Seven hundred and Seventy-ſeven, in the Words, or to the Effect, in the ſaid Seventh Article ſet forth. And he ſays, that early in the Year One thouſand Seven hundred and Eighty-one, he did, as Governor General, in conjunction with Edward Wheler Eſquire, then the only Member of Council remaining at Calcutta, eſtabliſh a Plan for the Collection of the Revenues, and the Adminiſtration of civil and criminal Juſtice throughout the Provinces of Bengal and Bahar, a full Account of which Plan was immediately tranſmitted to the Court of Directors. And he admits that by ſuch Plan the Provincial Councils were aboliſhed: But he denies that the ſaid Plan was in Diſobedience of the Orders of the Court of Directors; or founded on any

falſe or contradictory Pretences; or that it was deſigned for, or applied to, any corrupt Purpoſe whatſoever; or that the ſaid Warren Haſtings endeavoured to deceive the ſaid Court of Directors; or aſſigned falſe Reaſons for aboliſhing the ſaid Councils: Though he admits, that in a Letter from the Governor General and Council of Bengal, dated the Fifth May, One thouſand Seven hundred and Eighty-one, and addreſſed to the ſaid Court of Directors, it was affirmed, as the Truth actually was, that the Plan for ſuperintending and collecting the Public Revenue of the Provinces, through the Agency of Provincial Councils, had been inſtituted for the temporary and declared Purpoſe of introducing another more permanent Mode, by an eaſy and gradual Change. But he ſays, that he does not conceive that ſuch Affirmation is contradicted by any Opinion or Advice ever given by him on this Subject. And the ſaid Warren Haſtings denies, that in the ſaid Letter to the Court of Directors, of the Fifth May, One thouſand Seven hundred and Eighty-one, is contained any Affirmation in the Terms ſtated in the ſaid Seventh Article, viz. That it had been always intended to introduce the Abolition of the Provincial Councils, by an eaſy and gradual Change; the Affirmation contained therein, relative to this Subject, being no other than is herein before ſtated. And he inſiſts, that in the Year One thouſand Seven hundred and Eighty-one, no preparatory Steps were neceſſary for the Introduction of the Plan then propoſed, other than ſuch as were actually adopted on that Occaſion. And the ſaid Warren Haſtings denies that the ſaid Plan was accompliſhed

compliſhed by a ſingle Act of Power of him the ſaid Warren Haſtings, the ſame having been regularly ſubmitted to and approved by the only then remaining Member of Council. And the ſaid Warren Haſtings avers, that though the ſaid Plan was formed before the yearly Collection was finiſhed, yet the Execution thereof did not interfere in any Degree with the Collections of that Year, or the Recovery of the Balances. And the ſaid Warren Haſtings alſo ſays, that every proper Proviſion was made to prevent any Inconvenience being ſuffered by the Country from the Mode or Time of carrying the ſaid Plan into Execution, and that no Inconvenience was occaſioned thereby.

AND the ſaid Warren Haſtings, denying that he did arbitrarily or corruptly aboliſh the ſaid Councils, admits, that it was a Part of the ſaid Plan of One thouſand Seven hundred and Eighty-one, that a Committee of Revenue at Calcutta, conſiſting of Four Perſons, ſhould be ſubſtituted in their Place, with ſuch Powers as were neceſſary for the due Execution of the Truſt repoſed in them. And the ſaid Warren Haſtings admits, that the Governor General and Council did, on his Recommendation, appoint Four of the ſaid Company's Servants to conſtitute the ſaid Committee; all of whom were well qualified for that Station. But the ſaid Warren Haſtings denies, that ſuch Meaſures were founded on Principles oppoſite to any which he had ever profeſſed, or that the Powers thereby veſted in the ſaid Committee tended to deprive the Members of the Supreme Council of a due Knowledge of, or Inſpection into,

into, the Management of the Territorial Revenues, or to veſt the ſame in Effect ſolely and entirely in him the ſaid Warren Haſtings.

AND the ſaid Warren Haſtings admits, that the Governor General and Council did, on his Recommendation, appoint Ganga-Govin-Sing to be Dewan to the ſaid Committee, believing him to be well qualified for that Office, which he admits to have been an Office of Power and Truſt. But he denies it to have been in other Reſpects of ſuch Nature as in the ſaid Seventh Article is ſtated, or that the ſaid Ganga-Govin-Sing was, or that the ſaid Warren Haſtings knew or believed him to be, of ſuch Character as in the ſaid Seventh Article is alledged.

AND the ſaid Warren Haſtings denies, that he did inveſt the ſaid Committee of Four Perſons with all the Powers and Authorities of the Governor General and Council, or that by placing the Management of the Revenue in the ſaid Committee, under the Regulations preſcribed by the ſaid Plan, the Members of the Supreme Council were deprived of the Means of acquiring ſuch Knowledge of the State of the Revenue Buſineſs as might enable them to execute the proper Duty of their Office, or to acquire any Knowledge thereof, without great Difficulty and Diſcouragement; or that the ſaid Warren Haſtings, in all or any of the Matters aforeſaid, acted in Diſobedience to the lawful Orders of the Court of Directors, or in Contempt or Defiance of an Act of Parliament of

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the Thirteenth Year of his preſent Majeſty, as in the ſaid Seventh Article is charged.

AND the ſaid Warren Haſtings admits, that in the Month of November, One thouſand Seven hundred and Seventy-ſix, for the Purpoſe of obtaining accurate States of the real Value of the Lands, with which it appeared to him neceſſary that Government ſhould be previouſly furniſhed, in whatever Manner it might be determined to form a new Settlement of the Provinces after the then approaching Expiration of the ſubſiſting Leaſes, and alſo for the Purpoſe of purſuing many other uſeful Points of Enquiry, the ſaid Warren Haſtings did propoſe in Council, and a Majority of the Board did reſolve, that a temporary Office ſhould be conſtituted for the Execution of the ſaid Buſineſs; and that a Number of Native Officers, under the Title of Aumeens, appointed by the ſaid Board on the Recommendation of the ſaid Warren Haſtings, ſhould be ſent into the Provinces, for the Purpoſe of collecting ſuch Accounts and Informations as had a Reference to the ſaid Buſineſs. But the ſaid Warren Haſtings denies, that the ſaid Aumeens were armed with ſuch Powers as are in the ſaid Seventh Article in that Behalf mentioned; or that they were accountable only to the ſaid Warren Haſtings himſelf, or that the ſaid Warren Haſtings was guilty of a Breach of his Truſt or Duty in the Deputation or Appointment of the ſaid Aumeens, or that he the ſaid Warren Haſtings had any Deſign or Wiſh thereby to draw into his own Hands the ſole Ordering, Management,

ment, and Government of any of the Territorial Acquiſitions and Revenues of the Eaſt India Company, or that any Allegation made by the ſaid Warren Haſtings, of the Purpoſes for which the ſaid Aumeens were appointed, was falſe or pretended. And the ſaid Warren Haſtings denies, that he well knew, or ever was convinced in his Judgment or Opinion, as a general and unqualified Propoſition, that there was not any Truſt to be put in the Accounts delivered in by the Aumeens, or that no Dependance could be placed on that Mode of Enquiry, or that Aumeens were not to be truſted.

AND the ſaid Warren Haſtings denies that he did aſſume to himſelf the Power of appointing, or that he did actually, by his own Authority, appoint the Perſons who were employed in the Execution of the aforeſaid Object, or that he did inveſt, or concur in inveſting them with ſuch Powers as are in the ſaid Seventh Article ſtated; but he admits it to have been his Duty to recommend Perſons properly qualified for that Purpoſe. And the ſaid Warren Haſtings further ſays, that in order to aſſiſt the Perſons to whom the principal Management and Superintendance of the aforeſaid Enquiries were entruſted, the Governor General and Council did, on his Recommendation, appoint the aforeſaid Ganga-Govin-Sing to the Office of Peſhcar, whom he admits to have been once diſmiſſed from an Office in the Revenue Department; but he ſays, that ſuch Diſmiſſion was, in the Judgment of him the ſaid Warren Haſtings, improper and unjuſt; and that he the ſaid Warren Haſtings did conſider the ſaid Gan-

ga-Govin-Sing as better qualified than any other Perſon to fill the ſaid Office of Peſhcar. And the ſaid Warren Haſtings denies that he was, in reſpect of the ſaid Appointment, guilty of any Neglect of Duty; or that ſuch Appointment was to the Scandal of Government, or to the Encouragement of any Miſbehaviour or Miſconduct in Office, or that the ſaid Warren Haſtings knew or believed the Character of the ſaid Ganga-Govin-Sing to be ſuch as in the ſaid Seventh Article is deſcribed.

AND the ſaid Warren Haſtings admits that he was of Opinion that the granting of long Leaſes of the Lands was in many Reſpects better for the Eaſt India Company and the Inhabitants than Annual Settlements, which he has declared to have been often productive of ſuch Conſequences as are in the ſaid Seventh Article in that Behalf ſet forth. And the ſaid Warren Haſtings alſo ſays, that the Committee of Revenue at Calcutta, to whom it was referred by the Governor General and Council in the Year One thouſand Seven hundred and Eighty-one, to form a Plan for the Settlement of the Revenue for the enſuing Year, did, amongſt other Things, report their Opinion, "That with reſpect to the Period of the Leaſes "in general, it appeared to the ſaid Commit-"tee to limit them to One Year would be the "beſt Period, giving a Preference at the Set-"tlement of the next to ſuch Perſons as ſhould "have paid up their Rents, and making a "Promiſe of this on the Part of Government." And the ſaid Warren Haſtings ſays, that the Governor General and Council, he being Go-

vernor General, did for the moſt Part approve of ſuch Report; but the ſaid Warren Haſtings denies that in giving ſuch Approbation he did neglect his Duty, or diſregard the Intereſt of the Eaſt India Company, and the Eaſe and Welfare of the Inhabitants, or contradict any of his own Profeſſions or Declarations, or that he did not hold himſelf bound or reſtrained by the Orders of the Court of Directors. And the ſaid Warren Haſtings denies that he did exerciſe his Diſcretion for any partial, intereſted, or corrupt Purpoſe, or that he did for any partial, intereſted, or corrupt Purpoſe, grant any perpetual Leaſe whatſoever; but the ſaid Warren Haſtings ſays, that he did, in the Year One thouſand Seven hundred and Seventy-nine, concur with the Board in confirming the Zemindary of Baharbund to Lechnant Num-dee, Son of Contoo Bauboo, on a Mocurrary Leaſe; and he admits that the ſaid Contoo Bauboo was the Banyan of him the ſaid Warren Haſtings, but he denies that ſuch Sunnud was granted in ſuch Manner, or for ſuch Purpoſes, as are in the ſaid Seventh Article ſet forth, or that the ſame was granted upon improper Terms, the Rent which the ſaid Zemindar was by the ſaid Sunnud bound to pay having been fixed at the Sum deemed equivalent to the real Annual Value of the ſaid Zemindary. And the ſaid Warren Haſtings denies, that in all or any of the Tranſactions or Matters aforeſaid, he did, either as Preſident of the Preſidency of Fort William, or as Governor General, corruptly or wilfully proceed, in Violation of his Duty to the Eaſt India Company, in Diſobedience to their Orders, or to the Loſs or Damage of their Re-

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venues, or in Defiance or Contempt of any Act of Parliament, or to the Vexation, Oppreſſion, or Deſtruction of the Inhabitants of Bengal, or in Contradiction or Perverſion of his own declared Senſe of Duty and true Policy, or to the Scandal or Reproach of the Britiſh Government in India; or that in all or any of the ſaid Tranſactions the ſaid Warren Haſtings was or is guilty of any Crime or Miſdemeanour whatſoever.

EIGHTH ARTICLE.

AND the ſaid Warren Haſtings, in Anſwer to the ſaid Eighth Article, admits, that a certain Territory, known by the Name of the Subah of Oude, was, on or about the Year One thouſand Seven hundred and Sixty-four, governed by the Nabob Vizier Shuja Dowla, and that the ſaid Shuja Dowla was defeated in Battle, and expelled from his Dominions, by the Arms of the Eaſt India Company: That he was afterwards, in the Year One thouſand Seven hundred and Sixty-five, under the Authority of the Company, reſtored to his Government, and being ſo reſtored, in or about the Year One thouſand Seven hundred and Seventy-three, did enter into a Treaty with the Eaſt India Company, called the Treaty of Benâres: But the ſaid Warren Haſtings denies that the ſaid Company did thereby make ſuch Agreement as in the ſaid Eighth Article is ſtated; the ſaid Treaty profeſſing only to regulate the Terms

upon

upon which the Expences of the Company's Troops ſhould be defrayed, in caſe the ſame ſhould march to the Aſſiſtance of the ſaid Vizier.

AND the ſaid Warren Haſtings admits, that the ſaid Vizier did, by the Aſſiſtance of the Eaſt India Company's Forces, as alſo in conſideration of Money to them paid, or agreed to be paid, obtain ſeveral large Acceſſions to his Dominions; namely, the Territories of Rohilcund, Corah, Currah, and Allahabad, but not the Duab, which was not obtained in conſideration of any Money to them paid, although the ſame was obtained by the Vizier's own Forces, under the general Influence of Britiſh Support.

AND the ſaid Warren Haſtings further admits, that the ſaid Shuja Dowla, in or about the Month of February, One thouſand Seven hundred and Seventy-five, died poſſeſſed of the Territories aforeſaid, and that his Son Aſſof o' Dowla thereupon became poſſeſſed of the ſame, and by means of the Influence of the Eaſt India Company, co-operating with other Cauſes, did obtain a Grant of the Dignity and Authority of Vizier, which his Father had poſſeſſed; and that the ſaid Aſſof o' Dowla was ſupported in the Poſſeſſion and Dignity aforeſaid by the Power and Influence of the Eaſt India Company; and that he did, on the Twenty-firſt of May, One thouſand Seven hundred and Seventy-five, make a new Treaty with the Eaſt India Company, whereby, as well the Particulars of which a Brigade ſhould conſiſt, as the Charges thereof, were regulated.

AND

AND the ſaid Warren Haſtings admits, that the ſaid Vizier did afterwards conſent to take other Bodies of Troops belonging to the Company into his Pay. And the ſaid Warren Haſtings denies, that the ſaid Aſſof o' Dowla did become a Dependant on the Eaſt India Company, to the Extent, or in the Manner, ſuggeſted in the ſaid Article, or that the Engliſh Name and Character were concerned in every Act of his Government, or that the Influence and Power of the Governor General and Council of Fort William, was, mediately or immediately, ſufficient to, or employed for, all Acts of Authority within the ſaid Province of Oude, and its Dependencies.

AND the ſaid Warren Haſtings denies, that the Governor General and Council were bound to provide for the internal good Order or Proſperity of thoſe Provinces, although he admits they were bound, as far as in them lay, to take proper Meaſures for preventing the Troops kept up as aforeſaid from becoming a Grievance to the Country which they were intended to protect: But the ſaid Warren Haſtings denies, that it was the bounden Duty of the ſaid Governor General and Council, to take care that the Eaſe, Security, and Honour of the Prince and his Family, ſhould be conſulted and provided for, otherwiſe than as any Acts of the Eaſt India Company, or their Servants, might affect the ſame; but he admits that it was contrary to the Duty of the ſaid Governor General and Council, and of every of them, to countenance, authorize, or direct any Acts of Oppreſſion or Peculation within the ſaid

Provinces,

Provinces. And the ſaid Warren Haſtings denies, that ſuch Alteration has happened in the Condition of the Province of Oude, and the Territories added thereto ſince the Period of Britiſh Interference therein, as is ſtated in the ſaid Article; or that the ſaid Company were bound to the good Government of the Countries ſuppoſed to be referred to in the ſaid Article, or that the ill State of Things therein, ſuppoſing ſuch ill State thereof to have exiſted, was at all owing to any Acts or Neglects of him the ſaid Warren Haſtings, or his Agents. And the ſaid Warren Haſtings, diſavowing ſuch baſe and corrupt Views, as by the ſaid Eighth Article are imputed to him, denies that he did maliciouſly, or againſt his Duty, or upon, or ſoon after, or in any Manner in conſequence of ſuch Repreſentation which he admits to have been received by the Governor General and Council from the then Britiſh Reſident Briſtow, as ſtated in the ſaid Article, remove the ſaid Briſtow from his Office of Reſident aforeſaid: For the ſaid Warren Haſtings ſays, that Fifty-one Days before the Date of ſuch Repreſentation, (that is to ſay) on the Second of December, One thouſand Seven hundred and Seventy-ſix, it had been reſolved by the Governor General and Council, that the ſaid Briſtow ſhould be, and the ſaid Briſtow had accordingly been, recalled from the Court of the Nabob of Oude; and he inſiſts that ſuch Recal was not contrary to the ſtanding Orders of the Court of Directors, and that the ſame was warrantable and expedient. And the ſaid Warren Haſtings denies, that he did wilfully neglect to take any Meaſures which his Duty required him to take relative to the Matters

contained in that Repreſentation; and as to the Appointment of the ſaid Mr. Middleton to the ſaid Office of Reſident and Collector of the Company's Aſſignments in the Province of Oude, in the Eighth Article mentioned, the ſaid Warren Haſtings denies that ſuch Appointment was made under the Influence of ſuch Motives, or preceded by ſuch Conduct on the Part of the ſaid Warren Haſtings and the ſaid Middleton, or either of them, or that the ſaid Middleton was a Perſon of ſuch Character and Deſcription as are ſtated in the ſaid Eighth Article. And he farther ſays, that ſuch Appointment was made by the Governor and Council, and not by the ſole Authority of the ſaid Warren Haſtings; and that the Appointment of the ſaid Middleton, thus made, was, in the then Situation of the Company's Government in Bengal, fit and expedient to be made. And the ſaid Warren Haſtings further ſays, that ſuch Inſtructions were upon that Occaſion given to the ſaid Middleton for the Diſcharge of the Duties of his ſaid Office as were proper and neceſſary for that Purpoſe. And the ſaid Warren Haſtings ſays, that the ſaid Nabob Vizier did, in or about the Month of November, One thouſand Seven hundred and Seventy-nine, addreſs certain Requiſitions to the Government of Bengal, accompanying the ſame with a Repreſentation touching the Subjects in the ſaid Eighth Article mentioned; and that, at the ſame Time, another Account was ſent from the then late Reſident at Oude: But for the Particulars of ſuch Repreſentations, the ſaid Warren Haſtings craves Leave to refer to the ſame, when they ſhall be produced in Evidence. And

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he further ſays, that upon taking the ſaid Requiſitions of the ſaid Vizier into Conſideration, the Governor General and Council, the ſaid Warren Haſtings being then Governor General, did not deem it fit or expedient, in the then Situation of Affairs, to comply therewith. And the ſaid Warren Haſtings, craving Leave alſo to refer to the Minutes delivered in by him on that Occaſion, on the Thirteenth and Fifteenth December, One thouſand Seven hundred and Seventy-nine, denies that they are of the Nature or Tendency ſtated in the ſaid Eighth Article, or that either in reſpect of thoſe Minutes, or in any Part of the Conduct of the ſaid Warren Haſtings in the Matters aforeſaid, the ſaid Warren Haſtings did uſe any falſe Pretences whatſoever, or that he was influenced by the Motives, or aimed at the Accompliſhment of the Purpoſes, or was guilty of any of the improper Acts, in the ſaid Eighth Article ſtated. And the ſaid Warren Haſtings admits, that he did attribute the Diſtreſſes of the Country, which diſabled the ſaid Vizier (not Shuja Dowla, as ſtated in the ſaid Article, but Aſſof o' Dowla, the preſent Vizier) from maintaining the Eſtabliſhments by him complained of, to the Vices of the ſaid Vizier's own Character, which had influenced his Government: But the ſaid Warren Haſtings ſays, that no effectual Meaſures could be purſued by him for correcting the Vices of the ſaid Nabob's Government. And the ſaid Warren Haſtings admits, that he did write a Letter to Edward Wheler Eſquire, of the Date and upon the Subject in the ſaid Article mentioned; and that he did in that Letter, and at other Times, declare his

Opinion of the Diſadvantages reſulting from the keeping up of certain Military Eſtabliſhments in the Country of Oude, and of the Convenience which would be produced by the Reduction of the ſame: But the ſaid Warren Haſtings denies that he did, either before or after any of the ſeveral Times when he declared ſuch Opinion as aforeſaid, ever receive any Bribe or Bribes from the ſaid Nabob Vizier, or his Miniſters. And the ſaid Warren Haſtings admits, that the ſaid Nabob Vizier did, by Letters of thoſe Dates to the then Reſident Mr. Purling, make certain Repreſentations upon the State of his Finances: But the ſaid Warren Haſtings denies it to be true, that no Relief was attempted to be given by him the ſaid Warren Haſtings, or that none was in fact given, to the ſaid Nabob on the ſaid Subject. And the ſaid Warren Haſtings ſays, that the Board did, upon the Recommendation of him the ſaid Warren Haſtings, make ſuch Arrangement for the Accommodation of the ſaid Vizier as was then practicable and expedient. And the ſaid Warren Haſtings admits that he did, in a Minute entered upon the Bengal Conſultations of the Twenty-ſecond of May, One thouſand Seven hundred and Eighty-one, give his Opinion in Writing in the Terms ſtated in the ſaid Article: But the ſaid Warren Haſtings denies that he had ever been, or was, guilty of any criminal Neglect or Refuſal to afford timely Relief to the Diſtreſſes of Oude, or that he ever did refuſe ſuch timely Relief, when it was in his Power to have afforded the ſame; or that he did by that Minute, or in any other Manner, confeſs he had been ſo guilty; or that he did

confeſs that any ſuch Effects had been produced by ſuch his ſuppoſed Refuſal as are ſtated in the ſaid Article.

NINTH ARTICLE.

AND the ſaid Warren Haſtings, in Anſwer to the ſaid Ninth Article, denies that he did ever drive any Perſons to ſuch Diſtreſs as he thought might oblige them to offer Bribes to him for their Ranſom, or that he did ever entertain any ſuch Deſign or Thought; and he further denies that he did ſuddenly and corruptly alter his Language, as in the ſaid Ninth Article is ſtated; but he ſays that he did, in his Minute of the Twenty-firſt of May, One thouſand Seven hundred and Eighty-four, at which Time a material Alteration had happened in the Situation of Affairs, with regard to Foreign Wars and Enemies, from that in which they ſtood on the Thirteenth and Fifteenth Days of December, One thouſand Seven hundred and Seventy-nine, make ſuch Repreſentation of the State of the Province of Oude, as in the ſaid Ninth Article is mentioned; and that he did thereupon propoſe in Council, himſelf and Mr. Wheler being at that Time the only Members preſent at the Board, a Delegation to himſelf, containing, as the ſaid Warren Haſtings affirms, Powers neither new, dangerous, or exorbitant, ſuch Powers being delegated for the Purpoſe, amongſt others, of aſſiſting the Nabob Vizier in forming ſuch Regulations as might be ne-

ceſſary for the Peace and Order of his Government, the Improvement of his Revenue, and the Adjuſtment of the mutual Concerns ſubſiſting between him and the Company, with ſuch Authority to enforce the ſame as the Governor General and Council might or could exerciſe on Occaſions in which they would be warranted to exerciſe the ſame, by the Claims which the Honourable Company held or might have on the Revenues of the Dominions of the ſaid Nabob, and to form and conclude ſuch ſeveral Engagements or Treaties with the Nabob Vizier, the Government of Berar, and with any other of the Chiefs and Powers of Hindoſtan as he ſhould judge expedient and neceſſary, whether for the Termination or more effectual Proſecution of the War with the Maratta State, or for the Advancement of the Intereſts of the Honourable Company, or for the ſtrict and permanent Eſtabliſhment and Confirmation of the Alliances which did then ſubſiſt, or which he, the ſaid Warren Haſtings, ſhould judge neceſſary to form with the ſaid Chiefs and Powers reſpectively. And the ſaid Warren Haſtings further ſays, that the Inſtrument of his Delegation did alſo declare that all ſuch Acts, and all ſuch Engagements or Treaties made as aforeſaid, ſhould be binding on the Governor General and Council, in the ſame Manner, and as effectually as if they had been paſſed and done by the ſpecial and immediate Concurrence and actual Sanction of the Governor General and Council, in Council aſſembled.

AND the ſaid Warren Haſtings denies that the Commiſſion thus given to the ſaid Warren Haſtings

Haſtings was deſtructive of the Conſtitution of the ſaid Council, contrary to the ſtanding Orders of the Eaſt India Company, or to the Act of the Thirteenth of his preſent Majeſty, in the ſaid Ninth Article mentioned. And the ſaid Warren Haſtings denies that he did ever conceive or underſtand that the ſaid Commiſſion was illegal; but he ſays that he did, on the Third July, One thouſand Seven hundred and Eighty-one, and not on the Third July, One thouſand Seven hundred and Eighty-three, as in the ſaid Article is ſtated, deliver in a Minute, of which the following is a Copy: "In my "Minute, which I laid before the Board on "Twenty-firſt May, I expreſſed the Satisfac-"tion with which I could at this Juncture "leave the Preſidency, from the mutual Con-"fidence which was happily between Mr. "Wheler and me. I now readily repeat that "Sentiment, and obſerve with Pleaſure, that "Mr. Wheler confirms it. Before my De-"parture it is probable that we ſhall in Con-"cert have provided at the Board for almoſt "every important Circumſtance that can event-"ually happen during my Abſence; but if any "ſhould occur, for which no previous Provi-"ſion ſhall have been made in the Reſolution "of the Board, Mr. Wheler may act with "immediate Deciſion, and with the fulleſt "Confidence of my Support, in all ſuch Exi-"gencies, as well as in conducting the ordinary "Buſineſs of the Preſidency, and in general in "all Matters of this Government, excepting "thoſe which may ſpecially or generally be "intruſted to me. Mr. Wheler, during my "Abſence, may conſider himſelf as poſſeſſed of

"the

" the full Powers of the Governor General and " Council of this Government, as in Effect he " is by the Conſtitution; and he may be " aſſured, that ſo far as my Sanction and " Concurrence ſhall be, or be deemed neceſſary " to the Confirmation of his Meaſures, he ſhall " receive them." And he denies that he delivered in the ſaid Minute with any of the Views or Motives in the ſaid Article ſtated, or that the ſame is of the Nature or Tendency therein ſet forth.

AND the ſaid Warren Haſtings denies that the Acts done by him, in his Negociations with the Vizier, in virtue of the aforeſaid Commiſſions, all which he avers to have been legal and juſtifiable, could have been equally well done, or with leſs Queſtion as to their Validity, by the Britiſh Reſident at the Court of Oude, or by any other Perſon deputed by the ſaid Warren Haſtings. And the ſaid Warren Haſtings denies that he was guilty of any unwarrantable Aſſumption of Power, or that the Power exerciſed by him was unconſtitutional or irregular, foreign to his Duty, or unneceſſary for any good or legitimate Purpoſe, or that he attempted to enforce or cover the ſame by any intricate and ſubtile Devices, or that he did in any Manner diſcredit the Office of Governor General or the Britiſh Government.

AND the ſaid Warren Haſtings admits, that he did proceed to meet the ſaid Vizier in conſequence of the ſaid Commiſſion, at a conſiderable Charge. But the ſaid Warren Haſtings denies, that any unneceſſary Charge

to

to the Eaſt India Company was incurred upon that Occaſion. And the ſaid Warren Haſtings, as to the ſaid ſuppoſed Gift or Bribe of One hundred thouſand Pounds in the ſaid Ninth Article mentioned, craves Leave to refer to his Anſwer in this Behalf already made. And the ſaid Warren Haſtings admits, that he did, on the Nineteenth of September, One thouſand Seven hundred and Eighty-one, at a Place called Chunar, enter into the ſaid Treaty or Agreement, commonly called the Treaty of Chunar, in which he did conſent to certain Propoſitions for relieving the ſaid Nabob Vizier from the Charge of certain large Bodies of Troops, then in the Pay of him the ſaid Nabob Vizier; and for the Particulars of the ſaid Propoſitions the ſaid Warren Haſtings craves Leave to refer to the ſaid Treaty, when the ſame ſhall be produced. But the ſaid Warren Haſtings denies that he did, at any Time after making the ſaid Treaty, violate his own or the public Faith, by putting Troops on the Eſtabliſhment of Oude in the Manner, or under the Circumſtances, ſtated in the ſaid Ninth Article; but the ſaid Warren Haſtings ſays, that in conſequence of certain Repreſentations made to him by the then Reſident at Oude of the Neceſſity of reinforcing the Troops in that Country, a Detachment of Four Regiments of Sepoys, with a proper Field Train, was ordered to march for the Purpoſe of ſupporting the Authority of the Vizier, and maintaining the Tranquillity of his Country, by ſuch Means as the ſaid Vizier ſhould be pleaſed to direct. And the ſaid Warren Haſtings further ſays, that he did, in a Letter dated Twenty-fourth December, One

thouſand

thouſand Seven hundred and Eighty-one, addreſſed by him upon that Occaſion to Mr. Middleton, then Reſident at Oude, ſuggeſt, that as the Force thus meant to be employed for the domeſtic Tranquillity of the Vizier's Dominions, was an Addition to the Brigade on Subſidy, and which was ordered to be in Readineſs for marching at the ſhorteſt Notice to defend any Part of his Excellency's Territories which a foreign Enemy might be tempted to invade during civil Commotions, the Vizier would, the ſaid Warren Haſtings made no Doubt, cheerfully conſent to pay the Expences of the Detachment, by a fixed monthly Subſidy during the Service. And the ſaid Warren Haſtings ſays, that upon a Repreſentation thereupon made to him, that the March of ſuch Detachment, under the Circumſtances ſtated, would, it was believed, be contrary to the Inclination of the ſaid Vizier, and underſtood by him as an Infraction of the Treaty of Chunar, and be conſtrued a Replacing of the Troops which it had been agreed to recal, the ſaid Warren Haſtings did afterwards, by another Letter to the ſaid Middleton, dated Third January, One thouſand Seven hundred and Eighty-two, revoke the ſaid Orders; and the ſaid Orders were never carried into Execution: But the ſaid Warren Haſtings ſays, that afterwards, upon receiving various Repreſentations of the diſordered State of the Vizier's Dominions, the Board, in the Abſence of the ſaid Warren Haſtings, reſolved and ordered, in the Month of September, One thouſand Seven hundred and Eighty-two, that a ſtrong Detachment, under Colonel Sir John Cummings, ſhould march into the Dominions of the Nabob

bob Vizier, both for its internal Defence, and for the Relief of the Detachments which had been made from the Army ſtationed at Cawnpoor; and the Board were informed, by a Letter from Mr. Briſtow, then Reſident at Oude, dated the Twelfth of December, One thouſand Seven hundred and Eighty-two, that the Nabob had expreſſed his entire Conviction of the Neceſſity for the ſaid Detachment, and that the Vizier would approve its being ſtationed in his Dominions; and the ſame was ſtationed there accordingly. And the ſaid Warren Haſtings ſays, that it was provided by the Firſt Article of the Treaty of Chunar, amongſt other Things, that the Engliſh Officers, with their Sebundy Battalions, and other Gentlemen, excepting the Reſident's Office then upon the Nabob's Liſt, ſhould be no longer at his Charge for the then current Year, the Arrears being paid up, with the Addition of Two Months Allowances. And the ſaid Warren Haſtings denies, that he did diſregard any Engagements entered into by him on the Part of the Eaſt India Company, or purſue any corrupt Purpoſe, or that he did in any Manner impoſe, or knowingly ſuffer to continue, any Penſions or Allowances over and above thoſe ſpecially provided in the ſaid Article of the ſaid Treaty, or uſe any deceitful Pretence reſpecting ſuch Subject, or that he did make any ſuch Confeſſion relative thereto, as in the ſaid Ninth Article is ſet forth.

AND the ſaid Warren Haſtings ſays, that

TENTH ARTICLE.

IN Anſwer to the Tenth Article, the ſaid Warren Haſtings ſays, that by the Second Article of the Treaty of Chunar, reciting that great Diſtreſs had ariſen to the Nabob's Government from the Military Power and Dominion aſſumed by the Jaghiredars, for Remedy thereof it was provided, that the Nabob ſhould be permitted to reſume ſuch as he might find neceſſary, with a Reſerve, that all ſuch, for the Amount of whoſe Jaghires the Company were Guarantees, ſhould, in caſe of the Reſumption of their Lands, be paid the Amount of their net Collections through the Reſident in ready Money. And the ſaid Warren Haſtings ſays, that the ſaid Nabob conceiving the Authority and Influence of the Jaghiredars in the Jaghire Diſtricts to be the Cauſe Diſorders in his Government, and entertaining Suſpicions of the Fidelity of ſome of the ſaid Jaghiredars, and intending to reduce the ſaid Jaghires to their original Value, had propoſed of his own Accord, and without any Interference of the ſaid Warren Haſtings, to reſume the ſaid Jaghires without any Exception whatſoever, which Intention having been communicated to the ſaid Warren Haſtings, he had approved thereof.

AND the ſaid Warren Haſtings ſays, that he was afterwards informed that the ſaid Jag-

hires were univerſally reſumed by the ſaid Vizier, which Reſumption he believes to have been a warrantable and proper Meaſure; but he denies that it was under any Compulſion made uſe of by him or by any Perſon by him authorized thereto. And the ſaid Warren Haſtings further denies, that the ſaid Vizier had made any ſuch Seizure of the ſaid Jaghires, or had entered into ſuch Obligations, or had given ſuch Aſſurances, as in the ſaid Tenth Article are ſtated; but he has been informed, that during the Reſidency of Mr. Purling, the ſaid Nabob having taken a Sum of Money to relieve his Diſtreſſes from Two Perſons, named Murza Alli Khan and Sallar Jung, the ſaid Nabob Vizier did engage to repay the Sum taken as aforeſaid, and further, that the ſame ſhould not be done in future.

AND the ſaid Warren Haſtings admits, that ſome of the ſaid Jaghires reſumed as aforeſaid, were at the Time of ſuch Reſumption poſſeſſed by Perſons of the Deſcription in the ſaid Article ſtated; but whether the ſame were of the Value in the ſaid Article ſtated he cannot ſay, but he has heard that the Lands out of which the ſaid Jaghires were paid did yield more than the Amount of ſuch Jaghires, which Surplus did of Right belong to the ſaid Vizier. And the ſaid Warren Haſtings ſays, that he does not know or believe that the Perſons whoſe Jaghires were reſumed in Manner aforeſaid, were thereby reduced to ſuch Diſtreſs as in the ſaid Article is ſtated, or that ſuch other Conſequences did follow from the ſaid Meaſure as are therein alſo ſet forth.

AND the ſaid Warren Haſtings further ſays, that the Nabob Vizier did ſignify to him the ſaid Warren Haſtings, his Wiſh to reſtore certain of the ſaid Jaghires; but he denies that the ſaid Vizier did ſignify a Wiſh to reſtore all the ſaid Jaghires, as in the ſaid Article is ſuggeſted, or that Applications were made on that Subject by the ſaid Vizier for a long Time without Effect; but he ſays, that the Approbation of the Board of Council was given to that Meaſure ſoon after the aforeſaid Applications from the ſaid Vizier, and that the ſaid Jaghires were fully reſtored by the ſaid Vizier.

ELEVENTH ARTICLE.

IN Anſwer to the Eleventh Article, the ſaid Warren Haſtings ſays, that at the Time of executing the Treaty of Chunar, he did propoſe to the Vizier a certain Article, which he conceives to be the one referred to in the ſaid Eleventh Article of Impeachment, and of which the following is a Copy:

" HAVING on my Behalf agreed to the " Requiſitions of the Nabob Vizier, without Dimi- " nution or Reſerve, I muſt now repeat the Re- " queſt which I before verbally made to him, " that he will be pleaſed to attend to ſuch Pro- " poſals as I ſhall have to make to him, and " to thoſe I expect his Aſſent the more readily, " as they have for their ultimate Object his " Intereſt alone, that of the Company being no

" further

" further concerned than in the Intereſt which
" they will eventually have in the Payment of
" the Debt due from the Nabob to the Com-
" pany. I therefore recommend to him to
" reduce the great Number of his Sebundy and
" other Troops to regular and complete Eſta-
" bliſhments, not to be paid by Aſſignments of
" Revenues, but in Money from the Treaſury,
" and their Number not to exceed the certain
" Means of paying them: But as this may be
" difficult without making a Separation of the
" Nabob's public and private Funds, I fur-
" ther recommend, that he receive into his
" private Purſe no more than a fixed monthly
" Sum for the Expences of his Perſon and
" Houſehold, and that the Remainder of the
" net Collections be left in a public Treaſury,
" under the Management of his public Mini-
" ſters, and the Inſpection of the Reſident, for
" the Diſcharge of his Military and Civil Diſ-
" burſements. This Advice is not meant to
" affect the Aſſignments actually made, and
" which muſt be annually renewed, for the Pay-
" ment of the paſt Debt and the current De-
" mands of the Company."

AND the ſaid Warren Haſtings further ſays, that the ſaid Nabob did aſſent to the ſaid laſt-mentioned Article, and did execute the ſame. And he denies that the ſaid Article is or was intended to be worded in looſe and ambiguou Terms, or that he did ever repreſent it in that Light, or to that Effect, in any Letter written by him to Edward Wheler Eſquire. But he ſays that he did write a Letter concerning the ſaid Treaty to the ſaid Edward Wheler, con-

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taining a Paragraph, of which the following is a Copy, and which he conceives to be alluded to in the ſaid Eleventh Article:

" TO the Copy of the Articles of Agree-
" ment, Number One, I have added the Pa-
" pers, Number One, A, B, C, which will
" explain my Reaſons for the ſeveral Articles,
" and to theſe I beg leave to refer you. Upon
" the whole, generally, I have only to obſerve
" further, that the Agreement was drawn up
" from a Series of Requiſitions preſented to me
" by the Nabob, to whom I was happy in the
" Occaſion of making ſuch a Return, for the
" uncommon Inſtance of Fidelity and Attach-
" ment which he has recently ſhewn to our
" Government, by an inſtant and unqualified
" Aſſent to each Article. This was done ver-
" bally in his Preſence; and in like Manner
" I requeſted and obtained his Acquieſcence in
" the ſhort Condition which followed mine. I
" conſidered the Subjects of his Requeſts as
" eſſential to the Reputation of our Govern-
" ment, and no leſs to our Intereſt than his;
" and, if the Reſident performs his Duty in
" the Execution of my Inſtructions, the Na-
" bob's Part of the Engagement, by a ſingu-
" lar Inverſion of their Purpoſes in both In-
" ſtances, will prove of ſtill greater Benefit to
" him than to our Government, on whoſe Be-
" half it was exacted."

AND the ſaid Warren Haſtings denies, that he knew, or had heard, at or before the Time of executing the ſaid Treaty, that the ſaid Vizier conſidered the ſaid laſt-mentioned Article to

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be ſuch as in the ſaid Eleventh Article of Impeachment is ſtated; neither did the ſaid Vizier, to the Knowledge of the ſaid Warren Haſtings, withhold his Aſſent from the ſame, or decline to put his Seal thereto. And the ſaid Warren Haſtings further denies, that any Perſon or Perſons had Authority from him to give the ſaid Nabob ſuch Aſſurances as in the ſaid Eleventh Article are ſtated, nor did the ſaid Warren Haſtings hear or know, either before the Execution of the ſaid Treaty, or at the Time thereof, when the ſaid Warren Haſtings admits he was preſent, that ſuch Aſſurances were given. And the ſaid Warren Haſtings, denying that he did ever meditate any perfidious Acts, ſays, that on the Twenty-third of September, One thouſand Seven hundred and Eighty-one, he did write a Letter to Nathaniel Middleton Eſquire, then Reſident at the Court of the ſaid Vizier, in which he gave certain Inſtructions for carrying the ſaid Article of the Treaty of Chunar into Effect; but he denies that the ſaid Letter did contain Directions, in the Terms, or to the Effect, in the ſaid Eleventh Article of Impeachment ſtated. And the ſaid Warren Haſtings admits, that the ſaid Nathaniel Middleton did, in ſundry Inſtances, carry the ſaid Inſtructions into Effect.

AND the ſaid Warren Haſtings denies, That the Mode of conducting the ſaid Treaty, or the ſubſequent acting thereon, ſo far as the ſaid Warren Haſtings was in any Manner concerned therein, was of the Nature, or had the Tendency, ſtated in the ſaid Eleventh Article.

AND

AND the ſaid Warren Haſtings denies, that he did ever deſtroy, or conceal, or withhold, or cauſe to be withheld, from the Court of Directors, the original Papers and Documents, on the Matter of which the ſaid Treaty was made, or the original Treaty itſelf.

TWELFTH ARTICLE.

IN Anſwer to the Twelfth Article, the ſaid Warren Haſtings ſays, that in or about the Month of September, in the Year One thouſand Seven hundred and Seventy-five, in conſequence of a Letter received at the Board from John Briſtow Eſquire, then Reſident at the Court of the Nabob Vizier, communicating a Requeſt from the ſaid Nabob to be furniſhed with Engliſh Officers to Six Battalions of Seapoys, as well as with a Corps of Artillery and Cavalry in Proportion, and containing various Reaſons in favour of the ſaid Meaſure, the Governor General and Council, he the ſaid Warren Haſtings being Governor General, did unanimouſly reſolve to comply with the ſaid Requeſt, and to adopt a Plan propoſed by General Clavering for the Formation and Regulation of Troops in the ſaid Vizier's Service, and the Appointment of Britiſh Officers thereto agreeably to the ſaid Requeſt, of which Meaſure the ſaid Vizier was duly informed. And the ſaid Warren Haſtings further ſays, that at the Time of the ſaid original Eſtabliſhment, he neither was nor did pretend to be of Opi-

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nion that the Appointment of Britiſh Officers to command the Troops of the ſaid Nabob was in any Reſpect a pernicious Meaſure; but he did entertain and declare an oppoſite Opinion, and did enter the ſame on the Conſultations of the Board of Council. And the ſaid Warren Haſtings ſays, that afterwards, that is to ſay, on or about the Fifth Day of May, One thouſand Seven hundred and Seventy-ſeven, on ſubmitting to the Board a Plan for a different Military Eſtabliſhment, he did ſtate his Opinion, that certain Evils had been found by Experience to reſult from the ſaid Eſtabliſhment, made in the Year One thouſand Seven hundred and Seventy-five. And the ſaid Warren Haſtings further ſays, that on or about Twenty-fourth September, One thouſand Seven Hundred and Seventy-ſeven, Application was made to the ſaid Board by the ſaid Nabob Vizier, ſtating that he had determined to keep on foot Three Battalions, Part of a Force of Twelve Battalions then ſerving under the Command of Colonel Goddard, and which he had before propoſed to have diſbanded, for the Purpoſe of collecting the Revenue, and requeſting that Major Hannay, with Two or Three Officers, might be ſent to take Charge of the aforeſaid Battalions. And the ſaid Warren Haſtings further ſays, that the Board did unanimouſly reſolve to comply with the ſaid Requeſt; and likewiſe that Major Hannay, together with the Captains Lumſdaine and Balfour, ſhould be ſent to take the Command of the ſaid Troops. And the ſaid Warren Haſtings further ſays, that on or about the Twelfth January, One thouſand Seven hundred and Seventy-eight, a Plan was ſubmitted to the

ſaid Board by Major Oſborne, in the ſaid Article mentioned, for the Eſtabliſhment of a ſubſidiary Battalion to the Corps commanded by the ſaid Major Hannay as aforeſaid; and the ſaid Major Oſborne did at the ſame Time ſtate various Reaſons in ſupport of the ſaid Meaſure. And the ſaid Warren Haſtings ſays, that for the ſame and other Reaſons, which he was then and is now convinced were good and ſufficient, the ſaid Board did, on the Motion of the ſaid Warren Haſtings, reſolve to recommend the General Plan propoſed as aforeſaid to the ſaid Vizier; and that the ſaid Major Oſborne ſhould be appointed to command the ſaid Battalion. And the ſaid Board did at the ſame Time reſolve to recommend to the ſaid Vizier to diſband a proportionate Number of the Native Forces in his Employment to make a Diminution of Expence equal to ſuch Eſtabliſhment, and of which Recommendation the ſaid Vizier was duly apprized. And the ſaid Warren Haſtings ſays, that the ſaid Board were afterwards informed that the ſaid Nabob did object to the ſaid Plan; but the ſaid Major Oſborne not having been apprized thereof, did write a Second Letter to the ſaid Board, ſtating other material Reaſons in Addition to thoſe before offered in favour of the ſaid Meaſure, and further urging the Proſecution thereof.

AND the ſaid Warren Haſtings further ſays, that, being of Opinion that the Reaſons for which the Board had recommended the ſaid Meaſure did operate much ſtronger at the Time of the Receipt of the ſaid Second Letter as aforeſaid than when the ſaid Meaſure was originally

ginally brought forward, he did propoſe in Council that the Recommendation ſhould be repeated to the ſaid Nabob, and the Reſident ordered to ſupport it. And the ſaid Warren Haſtings further ſays, that the ſaid Propoſal being taken into Conſideration at the ſaid Board, Richard Barwell Eſquire, then a Member of the ſaid Board, did intirely approve thereof, and Edward Wheler Eſquire, then alſo a Member of the ſaid Council, did expreſs himſelf as follows: "I think the additional Reaſons now urged by "the Governor (meaning the ſaid Warren "Haſtings) for raiſing a Corps of Infantry, "may, with Propriety, be repreſented by Mr. "Middleton to the Vizier; as he has already "rejected the former Propoſition, I think it "ſhould be left intirely to his Diſcretion whe-"ther to carry the preſent into Execution or "not;" and Philip Francis Eſquire, alſo a Member of the ſaid Council, did expreſs himſelf as follows: "As Mr. Middleton in-"forms us, the Nabob has thought proper to "reject the Plan altogether, I think there would "be an Impropriety in our preſſing him to adopt "it." And the ſaid Warren Haſtings further ſays, that it was agreed by the ſaid Board to write again to the ſaid Nabob in Recommendation of the ſaid Plan, ſtating the additional Arguments in favour of it; and further, that a Letter ſhould be written to the ſaid Middleton to ſupport the ſaid Recommendation by ſuch Arguments in ſupport of it as might tend to inſure its Succeſs; which being accordingly done, the ſaid Vizier did agree to adopt the ſaid Plan. And the ſaid Warren Haſtings denies the ſame to have been iniquitous, without Colour, or oppreſ-

oppreſſive, or that in all or any of the Matters aforeſaid, he did act contrary to his Duty or his Conſcience, or againſt his Opinion of what was conducive to the Good of the Service. And the ſaid Warren Haſtings further ſays, that the Governor General and Council were informed, that the actual Expence of the Company's temporary Brigade, and the Charge of the aforeſaid Corps in the Service of the Vizier, under the Command of Britiſh Officers, did, in the Year One thouſand Seven hundred and Seventy-nine, exceed the Eſtimates which had been made of thoſe Expences; but the ſaid Warren Haſtings denies that he was guilty of any wilful or criminal Neglect in reſpect to any Enquiries proper to have been made, or Meaſures fit to have been adopted on that Subject. And the ſaid Warren Haſtings denies, that any Complaints were tranſmitted to the Board, or to him the ſaid Warren Haſtings, againſt the Corps under the Command of Major Oſborne, in the Manner ſtated in the ſaid Twelfth Article. And the ſaid Warren Haſtings ſays, that ſome Time after the ſaid Corps had been diſbanded, Repreſentations having been made to the ſaid Board, by the ſaid Nabob and by the Company's Reſident, that the Eſtabliſhment of Native Troops in his Service was unequal to the Purpoſe of effectually ſecuring the Collections, and that this could be effected by Troops under Britiſh Officers, the ſaid Warren Haſtings did, for the above and for other good and ſufficient Reaſons, move, that it ſhould be recommended to the ſaid Vizier to re-eſtabliſh the Corps lately commanded by the ſaid Major Oſborne, and to give the Command thereof to

Captain

Captain Clarke, in the ſaid Article mentioned, and to which Motion the Board accordingly agreed. And the ſaid Warren Haſtings further denies that he did, as in the ſaid Article is alledged, cauſe a Battalion of Soldiers, under Britiſh Officers, commanded by Captain Polhill, or any other Officer, to be put upon the Eſtabliſhment of the ſaid Vizier, or that the ſaid Corps was ever, during the Time the ſaid Warren Haſtings continued Governor General, put upon the ſaid Eſtabliſhment.

THIRTEENTH ARTICLE.

AND the ſaid Warren Haſtings, in Anſwer to the Thirteenth Article, admits, that he was bound ſubſtantially, and with good Faith, to obey the Orders of the Court of Directors of the Eaſt India Company; but the ſaid Warren Haſtings denies, that any ſuch prohibitory Orders reſpecting military Officers were given by the ſaid Court of Directors, as in the ſaid Article are ſtated. And the ſaid Warren Haſtings ſays, that there did exiſt a Treaty of Alliance, offenſive and defenſive, between the ſaid Nabob Vizier and the Eaſt India Company; but he denies, that the Dominions of the ſaid Nabob were in a State of Dependance on the ſaid Company, or thoſe who exerciſed their Authority. And the ſaid Warren Haſtings ſays, that the ſaid Company had an Intereſt in the Proſperity of the Territories of the ſaid Nabob of Oude,

and

and in that of the Provinces immediately under their Juriſdiction; and that the ſaid Warren Haſtings was bound to attend thereto, and to abſtain from any Act which had a Tendency to the Prejudice thereof: But denying that he entertained any ſuch Intentions and Views as are in the ſaid Thirteenth Article ſtated; or that he did by his own Influence and Power eſtabliſh the Corps under Lieutenant Colonel Hannay, in the ſaid Nabob Vizier's Service, or did in any Manner originally appoint or introduce the ſaid Hannay to that Service; the ſaid Warren Haſtings ſays, that the ſaid Lieutenant Colonel Hannay was permitted to enter into the ſaid Vizier's Service, in conſequence of a particular Requeſt contained in a Letter received from the Vizier on the Firſt of June, One thouſand Seven hundred and Seventy-ſeven, wherein the ſaid Vizier did expreſs himſelf as follows: " Major " Hannay is a Gentleman of great Underſtand- " ing, Worth, Quickneſs of Conception, and " nice Penetration, and one of the old Friends " of the late Nabob, who, being acquainted " with his Abilities, had the higheſt Regard for " him; as he is moreover a Gentleman very " much in my Favour, I am very deſirous of " having him with me, as the intimate and " inſeparable Union which ſubſiſts between us " makes us deſirous, on every Occaſion, of " giving Pleaſure to each other; I therefore " take the Liberty of requeſting, that, avoid- " ing all Appearance of Diſtinction between " us, you will permit Major Hannay to repair " to me, and continue with me." And the ſaid Warren Haſtings ſays, that in another Letter received from the ſaid Vizier on the Firſt of Septem-

September, One thouſand Seven hundred and Seventy-ſeven, is contained as follows: "Three "of the Twelve Battalions under Colonel God- "dard, which I propoſed to have diſbanded, "I have now determined to keep on foot, for "the Purpoſe of collecting the Amount of the "Tunkas to the Engliſh. Theſe I have placed "under the Orders of Mr. Middleton; but as "it will be neceſſary that an Officer be ap- "pointed to the Command of them, I have "fixed my Choice on Major Hannay, an Of- "ficer of Experience and Abilities, to whom "I am deſirous of giving the Command of "theſe Battalions. As our Affairs are inſepa- "rably connected, I apply to you, without "Ceremony, to requeſt that you will give your "Approbation to my Choice, and will ſend "Major Hannay, with Two or three other "Officers, to the Charge of the aforeſaid "Battalions." And the ſaid Warren Haſtings further ſays, that the Governor General and Council did afterwards, in compliance with the ſaid Requeſts, unanimouſly reſolve to permit the ſaid Hannay to proceed to Oude, and to enter into the ſaid Nabob's military Service there: And that after the Arrival of the ſaid Hannay, the ſaid Vizier, in a Letter received from him on the Twenty-ſecond of December, One thouſand Seven hundred and Seventy-ſeven, did expreſs himſelf, amongſt other Things, to the Effect following: "As Major Hannay is "a good and experienced Officer, of great Bra- "very and Conduct, I regard him in the Light "of a ſincere Friend. Your Compliance with "my Requeſt in ſending him to me, is a "ſtriking Proof of the Warmth of your Friend- "ſhip.

" ſhip. His Arrival has given me the moſt
" ſincere Pleaſure; and I am convinced that
" the Buſineſs I ſhall put into his Hands will
" proſper."

AND the ſaid Warren Haſtings denies that he did at any Time recommend the ſaid Hannay to the Farms or Collection of Revenue of the ſaid Provinces in the Dominions of the ſaid Nabob of Oude, called Baraitch and Goruckpoor, or that he did procure him to be appointed thereto. But the ſaid Warren Haſtings has been informed that the ſaid Hannay was appointed thereto by the ſaid Vizier, and that ſuch Appointment was by him the ſaid Vizier made of his own Accord. But the ſaid Warren Haſtings denies that the Appointment in queſtion was of ſuch Nature, or productive of ſuch Conſequences, as are ſuggeſted in the ſaid Article. And the ſaid Warren Haſtings ſays, that he does not know nor believe that the ſaid Hannay made ſuch uſe of his Power as is ſtated in the ſaid Article. And the ſaid Warren Haſtings ſays, he believes that the ſaid Nabob did remove the ſaid Hannay from his ſaid Appointment, and did afterwards reſtore him thereto. But the ſaid Warren Haſtings denies that he did procure both or either of thoſe Meaſures; or that he did ever obtrude the ſaid Hannay into the Management of the ſaid Nabob's Revenues; or that he had any ſufficient Reaſon to believe that the Power of the ſaid Hannay was exorbitant, or that the ſaid Hannay had been guilty of any Abuſe of Power. And the ſaid Warren Haſtings admits that he did on the Twenty-ſixth of April, One thouſand Seven hundred and Eighty, write a Letter to the ſaid Nabob,

bob, expreſſing, amongſt other Things, his Satisfaction at his Reſtoration of the ſaid Hannay to the Employment with which the ſaid Nabob had formerly inveſted him; " that he eſteemed this as a Mark of the ſaid Nabob's Attention to his original Recommendation." But the ſaid Warren Haſtings denies that he originally, or in any other Manner, recommended the ſaid Hannay to the Service of the ſaid Nabob, than as herein is before ſtated. And the ſaid Warren Haſtings did in the ſame Letter, to which he craves Leave to refer, tell the ſaid Nabob nearly to the Effect, but not in the Terms, ſtated in the ſaid Article. And the ſaid Warren Haſtings denies that the ſaid Letter was of ſuch Nature or Tendency as in the ſaid Thirteenth Article is ſtated; or that the ſame was in any Manner improper; or that any former Complaints reſpecting the ſaid Hannay had ever been made to the ſaid Warren Haſtings; or that the ſaid Warren Haſtings was in reſpect of the Matters aforeſaid guilty of any Breach of Duty whatſoever. And the ſaid Warren Haſtings ſays, that the ſaid Vizier did, about the latter End of the Year One thouſand Seven hundred and Seventy-nine, make Complaints, through the then Reſident at Oude, to the Governor General and Council, the ſaid Warren Haſtings being Governor General, to the Effect ſtated in the ſaid Article; and which the ſaid Warren Haſtings admits to have included the Corps under the ſaid Hannay and Oſborne, and certain other Corps. And the ſaid Vizier did further repreſent, that in " that diſtreſſed State of his Affairs it was juſt and requiſite that Mr. Haſtings and General Sir Eyre Coote, and the Supreme Council, ſhould

give him Relief;" and that "he could not that Year poſſibly provide for the new Brigade at Futty Ghur, the Corps of Horſe, and other detached Bodies of Troops in his Country." And the ſaid Warren Haſtings ſays, that he did not ever declare that the Requeſt made or ſuppoſed to be made on this Occaſion, for the Diſmiſſion of theſe particular Corps, was totally inadmiſſible: But he ſays, that the Objection made by him the ſaid Warren Haſtings, was made to the Demand of the ſaid Vizier, conſidering the ſame as one entire Propoſition, and which the ſaid Warren Haſtings did then conſider, and yet conſiders, as made at ſuch a Seaſon, and in ſuch a Manner, as well juſtified ſuch Refuſal to comply therewith, as is contained in the Letter written by the ſaid Warren Haſtings in Anſwer thereto, under the Direction, and with the immediate Approbation, of the Board; and to which Letter, and to the Proceedings of the Board upon that Occaſion, as well for the Reaſons inducing ſuch Refuſal as for the Terms in which the ſame is expreſſed, the ſaid Warren Haſtings craves Leave to refer. And the ſaid Warren Haſtings denies that the ſaid Corps, or any other Corps ſtationed in the Vizier's Country, had no Concern with Foreign Wars, or that they were ſolely employed in the Collections; although he admits that they were generally ſo employed. And he ſays, that although the native Soldiers, of which ſuch Corps conſiſted, had no Concern with the Company's Eſtabliſhment, nor were to return thereto when diſcharged from the Nabob's Pay, yet he avers that the Company had on ſeveral Accounts a material Intereſt and Concern in the Time and Manner of the Diſcharge of ſuch Corps.

And

And the ſaid Warren Haſtings ſays, that he did on the Thirteenth of December, One thouſand Seven hundred and Seventy-nine, by his Minute of that Date, propoſe that a Letter ſhould be written to Mr. Purling, then Reſident at Oude, which, if agreed to, might ſerve as the Subſtance of one to be written on the ſame Subject to the Nabob, and, in which Letter, he did, amongſt other Things, propoſe to ſtate, that " the Application of the Vizier gave Cauſe for the moſt alarming Suſpicions, ſince he could not be ignorant that the Mahrattas, the Enemies of the Company, and the ancient Enemies of his Government and Family, were in Arms, and a War unavoidable: That, at ſuch a Juncture, a Propoſal for diſbanding any Part of his Forces could not fail to encourage them to attack his Dominions: That the Advice of his Miniſters, who had inſtigated him to make the ſaid Repreſentation, would, it was truſted, appear to him as inſidious as it was dangerous; and that the Governor General and Council hoped he would diſmiſs them from his Service and Confidence, as unworthy of both." Which propoſed Letter was agreed to, and another Letter conformable to the ſame was afterwards accordingly ſent to the ſaid Nabob by Order of the Board. And he further ſays, that he did, in his Minute of the Fifteenth of the ſaid Month, ſtate, amongſt other Things, " that he was inclined to bring to Puniſhment, " if his Influence could produce that Effect, " thoſe Incendiaries, who had endeavoured to " make themſelves the Inſtruments of Diviſion " between the Nabob and the Company." But he denies that the ſame, or any other Part of thoſe Minutes, was intended to terrify the Na-

bob or his Miniſters, or any other Perſons, from Repreſentations on this or any other Subject affecting the Nabob's Revenues, or the Welfare of his Subjects, or that the ſame was intended to produce any other improper Effect.

AND the ſaid Warren Haſtings, again denying that the ſaid Nabob was ever compelled to reſtore the ſaid Hannay to the Charge of any Provincial Collections; denying alſo that he the ſaid Warren Haſtings kept up the ſaid Hannay's Corps in Defiance of the ſaid Nabob, in whoſe immediate Service the ſame actually was; the ſaid Warren Haſtings admits, that the ſaid Philip Francis did declare, in his Minute of the Fifteenth of December, One thouſand Seven hundred and Seventy-nine, to the Effect ſtated in the ſaid Article. But the ſaid Warren Haſtings denies, that by having forborn to make the Enquiry ſuggeſted in the ſaid Article, he did in any Manner connive at, countenance, or encourage any Confuſions, or the Deſtruction of Military Obedience; or that he did, by any Act or Omiſſion, or with any corrupt or wicked View whatſoever, leave the ſaid Countries of Baraitch and Goruckpoor expoſed to any ſuch Miſchiefs as are in the ſaid Thirteenth Article deſcribed; or that thoſe Countries were ever deſpoiled, waſted, or depopulated, in the Manner, by the Perſons, or under the Circumſtances, ſtated in the ſaid Article. AND he ſaid Warren Haſtings further denies, that if any ſuch Spoil, Waſte, or Depopulation were ever committed or occaſioned by any Perſons whatſoever, that the ſame or any Part thereof was committed or occaſioned by any Support or

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Countenance directly or indirectly derived from him the ſaid Warren Haſtings. And the ſaid Warren Haſtings ſays that he does not know or believe that the ſaid Hannay carried on the Collection of the Revenue in any oppreſſive Manner whatſoever, or that he did take any cruel or unjuſt Method of exacting the ſame. And the ſaid Warren Haſtings ſays, that he has ſeen a Depoſition made by one Allahd Sing, a native Officer commanding the Fort of Goruckpoor, at the Time it was attacked, as herein after mentioned, which Depoſition was made ſoon after the Inſurrection at Benâres, in the Month of November, One thouſand Seven hundred and Eighty-one, and, amongſt other Things, contained as follows: " I had con-
" fined, under my Guard, at the Fort of Go-
" ruckpoor, One hundred and Fifteen Bur-
" gomauls, Inhabitants of Surwaur; on the Fif-
" teenth of Rumuzaun, the Rajah of Goruck-
" poor, the Zemindars of Ouloolech Beehouly,
" &c. great and ſmall, likewiſe all the In-
" habitants of Goruckpoor, with Six thou-
" ſand Matchlocks, and great Numbers of
" Country People, armed with Clubs, at Four
" Gurries of the Night, ſurrounded the Fort,
" and made an Attack by Surprize; but the
" Sepoys on Guard at the Baſtions were awake,
" they began to fire, and an Action immediately
" followed. Seeing that the Country People
" were in great Numbers, I went to each of
" the Baſtions, and encouraged the Sepoys,
" and called them to me into the Body of the
" Place, and formed them together. I left a
" Havildar and Ten Sepoys at the Kung Mahal,
" to protect the Baggage; but it was Night Time.

" The

" The Country People made an Assault with Lad-
" ders and entered the Fort, and both Parties
" fought resolutely; at this Time they placed
" Ladders against the Inner Fort towards the
" South, and entered upon the Bastion. I
" seized an advantageous Opportunity, (attack-
" ed) and killed Seventeen of the Enemy on
" the Bastion, and wounded several others.
" About Half after Ten at Night they made
" an Attack upon the Western Bastion; as there
" was a Straw Chupper on that Bastion, I took
" Shelter under it, and threw down with all my
" Force a Part of the Brick Battlement on the
" Enemy, by which Four of them were killed;
" One other fell by a Musket Ball, and they
" retreated. A Third Time, about Three
" o'Clock in the Morning, the Country People
" raised a great Shout, and attacked us again;
" I was then engaged on the Inner Fort Ba-
" stion; Seubunse Havildar was posted with
" Twelve Sepoys, to guard the Burgomauls;
" they rushed upon him in a Body, and
" Seubunse called out to me with a loud
" Voice that the Burgomauls had attacked
" him. I gave him Orders to put them all to
" the Sword; he instantly struck off the Heads
" of Eighteen Burgomauls, and threw them
" out, and he wounded several others. The
" Morning now broke, and I entertained a
" Hope that the Enemy would fly, and that
" the People of the Town would certainly join
" me; but the Country People, the Foujedar,
" &c. were all united with the Rajah; they all
" lifted up their Arms, and said, " The Doway
" of the Nabob Saadut Ally Khan, and the
" Begum, has spread through the whole Coun-

" try,

" try, for the Rajah Cheyt Sing has deſtroyed " all the Engliſh, and Letters have come to " the Rajahs to put the Dependants of the " Engliſh to the Sword wherever they may " be found." And he ſaid, " Where will " they go? the Country is mine, I am a " Bhonear Rajah, how long will they (be able " to) oppoſe me?" In ſuch Diſcourſe Two " Gurries of the Morning had paſſed away. " From the Eaſtern to the Weſtern Gates " within the Mahal, they ſurrounded the Inner " Fort on all Sides, and the Action was re- " newed. We continued engaged for Five " Pahr (Fifteen Hours) with the Enemy, with- " out taſting either Food or Water." AND the ſaid Warren Haſtings ſays, that the ſaid Depoſition did further contain as follows: " I " wrote an Account of the Whole of this " Affair to Colonel Hannay and Captain " Gordon; after a few Days an Order came " from the Colonel to Munnowur Khan, di- " recting, that if the Rajah Muſtapha Khan " had been put to Death, well; if not, ſtrike " off his Head. Munnowur Khan ſhewed me " the Order; I ſaid, The Order is not written " to me, I will write to the Colonel on the " Subject." AND the ſaid Warren Haſtings ſays, that it further appeared by the ſaid Depoſition, that Orders were afterwards given that the Head of the ſaid Muſtapha Khan ſhould be ſtruck off, and that he was beheaded accordingly; and that a Proclamation was made through the Town, that thoſe who were guilty of ſuch Crimes would meet with the ſame Puniſhment. AND the ſaid Warren Haſtings ſays, that he has been informed,

and believes, that the ſaid Muſtapha Khan was a rebellious Subject of the Nabob of Oude, ſentenced to Death by the Nabob, on account of various Acts of Treaſon and Rebellion by him committed againſt the Nabob his Sovereign, and which Sentence was afterwards carried into Execution by Captain David Williams, then an Officer in the Service of the Nabob. AND the ſaid Warren Haſtings, denying that the ſaid Tranſaction was, to his Knowledge or Belief, of the Nature, or productive of the Conſequences, ſtated in the ſaid Article, ſays, that he was not, on account of ſuch Information, or of any other by him received, or in any other Manner whatſoever, required by his Duty to make an Enquiry into the Conduct of the ſaid Hannay, relative to any of the Particulars above ſtated. AND the ſaid Warren Haſtings ſays, that no Complaints of the Mother or Grandmother of the ſaid Nabob of Oude, concerning any Miſbehaviour of the ſaid Hannay or Captain Gordon, if any ſuch were ever in fact made, ever came to the Knowledge of him the ſaid Warren Haſtings whilſt he continued to be Governor General. And the ſaid Warren Haſtings denies that he ever knew of any Application of the ſaid Hannay to the ſaid Vizier, if indeed the ſaid Hannay did again apply to the Vizier, for the Farm of Baraitch and Goruckpoor. And the ſaid Warren Haſtings ſays, that he has ſince heard that a Report did, in fact, prevail, that the ſaid Hannay was about to return to Oude; and the ſaid Warren Haſtings ſays, that the Vizier did, as he apprehends, in conſequence of ſuch Report, or of ſome Intelligence to that Effect, write

write a Letter to him the ſaid Warren Haſtings, which was received by him on the Fifteenth of September, One thouſand Seven hundred and Eighty-two, containing ſuch Expreſſions as are ſtated in the ſaid Thirteenth Article: But the ſaid Warren Haſtings ſays, that he was, at the Time of the receiving that Letter, and before, and for ſeveral Weeks afterwards, confined by a long and dangerous Illneſs; and that, although no Anſwer was returned by him to the ſaid Letter, until the Thirtieth of December following, yet he humbly ſubmits, that any more immediate Anſwer thereto became unneceſſary by the Death of Colonel Hannay, which happened early in September, and before the Letter of the ſaid Nabob was received by him the ſaid Warren Haſtings. And the ſaid Warren Haſtings denies that there was any ſufficient or reaſonable Ground for the Vizier, or for any other Perſon, to be aſſured, or to ſuppoſe, that the Death of the ſaid Hannay alone prevented his being again employed in Oude. And the ſaid Warren Haſtings further denies that he, at any Time ſubſequent to the Treaty of Chunar, ever meant or intended that the ſaid Hannay ſhould return to Oude. AND the ſaid Warren Haſtings denies, that in all or any of the ſeveral ſuppoſed Acts or Neglects, in the ſaid Thirteenth Article charged againſt him, he was guilty of any Breach of Duty whatſoever, or that in reſpect of all or any of the ſeveral Matters in the ſaid Article mentioned, he was guilty of any Breach of Duty whatſoever, or has been the Cauſe of Damage to the Country of Oude, of any Breach of his Truſt; or that he did, in any Reſpect, diſhonour the Name or

Character of this Nation; or that he has been guilty of any Crime or Misdemeanour whatsoever.

FOURTEENTH ARTICLE.

IN Answer to the Fourteenth Article, the said Warren Hastings, denying that the Nabob Vizier had any Reason to entertain, or did in fact entertain, any Apprehensions from the said Warren Hastings, relative to the Security of his own Person, or the Stability of his own Situation, or that he the said Warren Hastings was guilty of any Malice or Corruption, or that any Bribe was by the said Nabob Vizier ever given to the said Warren Hastings, or that the said Warren Hastings did, in any Instance, treat the said Nabob Vizier with Inhumanity, Perfidy, or Rigour; and denying also that the said Nabob had any such Cause of Apprehension or Alarm as in the said Fourteenth Article is stated, says, that the said Resident Middleton did, in a Letter bearing Date the Seventeenth October, One thousand Seven hundred and Eighty-one, transmit to the said Warren Hastings certain Extracts of Letters from Lieutenant Colonel Hannay, expressing the Suspicions of the said Hannay respecting the Attachment of the said Nabob Vizier; and that, at the Instance of the said Warren Hastings, certain Affidavits were made before Sir Elijah Impey, His Majesty's Chief

Justice

Juſtice (but not acting in ſuch Capacity, as in the ſaid Fourteenth Article is ſuggeſted), tending to criminate certain Relations of the ſaid Nabob Vizier; the ſaid Warren Haſtings, however, denies that he was, in any Manner, criminal in reſpect of the taking of the ſaid Affidavits. AND the ſaid Warren Haſtings, denying alſo that, to his Knowledge, the ſaid Nabob Vizier did fall into ſuch State of Mind, as, in ſaid Fourteenth Article, is ſet forth, admits, that he the ſaid Warren Haſtings was informed that, in the Month of February, One thouſand Seven hundred and Eighty-two, the ſaid Nabob Vizier had expreſſed a Deſire, to the ſaid Reſident Middleton, to make him the ſaid Warren Haſtings a Preſent of Ten Lacks of Rupees, ſubject to his the ſaid Warren Haſtings Conſent to, and Acceptance of, the ſame: But the ſaid Warren Haſtings denies, that he did ever conſent, or entertain any Intention of conſenting, to accept the ſame. And he ſays, that he has been informed, and believes, that Aſſignments on the Revenue had been given by the ſaid Vizier to the ſaid Middleton, prior to the aforeſaid Offer, for the Purpoſe of diſcharging, out of the Produce thereof, the Debt due from the ſaid Vizier to the ſaid Company; but he believes, that no ſpecific Aſſignments, or any other Security, or Bill, were, at any Time, given by the ſaid Vizier for the Payment of the ſaid intended Preſent. And the ſaid Warren Haſtings denies, that any Letter from the ſaid Middleton to the ſaid Warren Haſtings, or any Letter from the ſaid Warren Haſtings to the ſaid Middleton, relative to the ſaid Preſent, has been, againſt Law or his Duty, or for any baſe, clandeſtine, or

corrupt Purpoſe, by him ſuppreſſed. And he avers, that he did, very ſoon after receiving Intelligence of the ſaid Deſign of the ſaid Nabob, communicate what he the ſaid Warren Haſtings knew, or had heard, relating to the ſaid intended Preſent, to the Members of the Supreme Council; and did, at the ſame Time, declare his Intentions relative thereto, as herein after explained. And the ſaid Warren Haſtings denies, that he was guilty of any Neglect or Miſconduct, in reſpect of the ſaid Tranſactions, or that from any Part of the Conduct of the ſaid Warren Haſtings therein, either the ſaid Middleton, or any other Perſon, could be taught to conſider the Receipt of Bribes as a Matter which might bring no Danger or Diſcredit to them. And the ſaid Warren Haſtings denies that no Notice was taken of the ſaid Tranſaction, or any Document concerning the ſame produced, to the Members of the Council General, by the ſaid Warren Haſtings, until the Month of July, One thouſand Seven hundred and Eighty-three; on the contrary, the ſaid Warren Haſtings ſays, that although no Entry was made on the Conſultations reſpecting the ſame, prior to that Period, yet the ſaid Tranſactions, and all the Particulars relative thereto, were, very ſoon after the ſaid Warren Haſtings was acquainted therewith, and long before the Time mentioned in the ſaid Article, communicated to the then Members of the Supreme Council; and Inſtructions touching the ſame were, with their Privity and Conſent, prepared and given, as herein after mentioned. And the ſaid Warren Haſtings ſays, that, by Order of the Board of Council, Richard Johnſon Eſquire, who, in the Month of September,

One

One thouſand Seven hundred and Eighty-two, had been recalled from Lucknow, was, in the Month of June, One thouſand Seven hundred and Eighty-three, required to make his Defence as to certain Articles of Charge which had been, by the ſaid Board, preferred againſt him, One of which Articles was in the following Terms; for ſending repeatedly to the Vizier, and to his Miniſter, Hyder Beg Cawn, to adviſe them againſt transferring the Ten Lacks of Rupees, intended as a Preſent to the Governor General, to the Company's Account; as it would be a Precedent for further Demands, which, if the Vizier did not reſiſt in the firſt Inſtance, this Government would never ceaſe to harraſs him for Money. In Anſwer to which Article of Charge, the ſaid Richard Johnſon did ſtate as follows: " The Act " and Intention, as far as I ſhould limit them in " admitting myſelf the Cauſe of preventing the " Ten Lacks mentioned from being, at that " Time, paid to the Company, are true; the " Reaſons aſſigned for ſuch Prevention, leſt the " ſaid Nabob ſhould be again harraſſed, &c. are " the Miniſter's own Words and Objections made " to me, transferred into my Mouth. The Mode " alſo, by Meſſage, is likewiſe miſrepreſented; " but that is immaterial; ſuffice it for me to ex- " plain the Act. I acknowledge Fifty Lacks " were due in Balance; all the Nabob's Re- " ſources not promiſing to prove equal to diſ- " charge this Balance, a new Claim was, at this " ſame Inſtant, made of Eighty-two Lacks; " the Reſources in my Hands, the ſole Fund " exiſting to anſwer both the Means, unequal to " this End, the Queſtion remained, which of the " Two Claims, the new or the old, ſhould be

" firſt paid. I did not heſitate one Inſtant to
" declare, that if any of the Aſſets placed in my
" Hands ſhould be attempted to be eſtranged
" from thePurpoſes for which they were aſſigned,
" I ſhould declare it to be a Breach of Treaty:
" They were to diſcharge the Balances of Years,
" the ſole Object of the late Treaty, and all the
" Meaſures connected with it had the ſingle
" Point for their End. Could I, deeply pledged
" for the Fulfilment of the Treaty, ſubſcribe
" to the total Subverſion of theſe Meaſures, at
" the very Moment of their Completion, in the
" Termination of the Year preſcribed and al-
" lotted for their Operation? I could not, I
" ought not; therefore I thus obſtructed the
" Whole of courſe; the Parts of that Whole for
" the Reaſons above aſſigned, and no other what-
" ever. Whether ſuch Preference, ſo given to a
" previous Claim, was criminal or meritorious,
" reſts with the Honourable Board to declare,
" when they recollect that retarding neither ex-
" punges or diminiſhes a Claim. Permit me here
" to ſubjoin: Had the Ten Lacks been unin-
" volved with the Seventy-two, or had the ag-
" gregate Sum not been required within the Pe-
" riod left for liquidating the Balances intruſted
" to me, or had not the Aſſets lodged in my
" Hands for this Purpoſe been the ſole Funds
" from which ſuch Payments could be attempt-
" ed, ſo far from impeding, even for a Moment,
" ſuch a Claim, I ſhould have been the firſt to
" ſupport and urge it to its Completion."

AND the ſaid Warren Haſtings ſays, that in his Obſervations on the ſaid Anſwer, delivered in Council on the Twenty-firſt October, One

thouſand

thouſand Seven hundred and Eighty-three, he did aſſert as follows: " I am morally certain, " that Zaidads or Aſſets of Ten Lacks, either " in Aſſignments of Lands or in Bills, had been " prepared, and were in the Charge or Poſſeſſion " of Mr. Middleton before Mr. Palmer's Ar- " rival, and left with Mr. Johnſon on Mr. " Middleton's Departure; that this Sum was " declaredly given for my Uſe, but never ac- " cepted by me; the only Advantage I made " of the Offer was, to requeſt the Nabob to " transfer it, with the Obligation ſtill reſting " with equal Weight upon my Gratitude, for " the original Deſtination of it, to the Com- " pany, for the Relief of their preſſing Ne- " ceſſities: The Rectitude of this Tranſaction " depends eſſentially upon Principles which " every Man feels and acknowledges in his own " Breaſt, but can hardly be judged by the Teſt " of any official Rule. It might indeed have " added to the Company's Claims on the Na- " bob, but I am not ſorry that Mr. Johnſon " choſe to defeat my Intentions, ſince it would " have added to the Nabob's Diſtreſſes, but " with no immediate Relief to the Company; " if in his own Breaſt he could view the " ſecret Motives of this Tranſaction, and on " their Teſtimony approve, I alſo acquit him, " as I do acquit him, of the Charge on public " Ground." And the ſaid Warren Haſtings ſays, that John Macpherſon Eſquire, a Mem- ber of the Supreme Council, in his Obſerva- tions on the Anſwer of the ſaid Richard John- ſon, did declare with reſpect to the aforeſaid Charge, that as the Tranſaction was ſtated in September, One thouſand Seven hundred and

Eighty-

Eighty-two, when Mr. Johnſon was ordered to quit his Station, he conſidered it as equally injurious to the Wiſhes of the Governor General, and replete with Infidelity on the Part of Mr. Johnſon to his Employers; that it remained ſtill to be cleared up between Mr. Johnſon and Hyder Beg Cawn; and he declared that he had underſtood at the Time, that the Ten Lacks were in Bills, and not a mere Offer to pay ſuch a Sum from the future Revenues of the Country.

AND the ſaid Warren Haſtings denies, that in concurring in the Enquiry into the Conduct of the ſaid Mr. Johnſon, the ſaid Warren Haſtings had any ſuch Object, or entertained any ſuch Intention, as are in the ſaid Fourteenth Article in that Behalf ſet forth, or that he made any Declaration reſpecting the ſaid Charge, other than what is herein before ſtated, or that he did ſuddenly, or in any Manner, put an end to the ſaid Enquiry: But, on the contrary, the ſaid Warren Haſtings ſays, that ſuch Enquiry was publickly proſecuted by the Board of Council, in ſuch Manner as to them ſeemed right; nor was the ſaid Enquiry concluded till after every previous Step had been taken, which the ſaid Board thought neceſſary for the Formation of their Judgment thereon; nor till after the Opinion and Determination of every Member of Council had been regularly and finally pronounced upon the ſaid Charges. And the ſaid Warren Haſtings admits, that he was of Opinion, and did accordingly declare, that ſome of the Charges againſt the ſaid Richard Johnſon were proved; but the final Determination

of

of the ſaid Board relative thereto, was, that upon the whole, although they conſidered the Conduct of the ſaid Richard Johnſon blameable in ſeveral Inſtances, yet they were alſo of Opinion, that he had been ſufficiently puniſhed by the Deprivation of the Office which he had held, and by the ſudden Manner in which the Complaints and Evidence then before them, induced them to recal him to the Preſidency.

AND the ſaid Warren Haſtings ſays, that afterwards, in the Month of January, One thouſand Seven hundred and Eighty-four, the Governor General and Council, he the ſaid Warren Haſtings being Governor General, did, on his Recommendation, unanimouſly appoint the ſaid Richard Johnſon to be Reſident at the Court of the Nizam, conceiving him to be duly qualified for that Employment.

AND the ſaid Warren Haſtings admits, that the ſaid Board did not examine the ſaid Nathaniel Middleton, in reſpect to the aforeſaid Charge againſt the ſaid Richard Johnſon; and that the ſaid Nathaniel Middleton was at the Time of the ſaid Enquiry at Calcutta, his own Conduct being then a Subject of Enquiry, before the ſaid Board, upon Accuſations preferred againſt him by the ſaid Warren Haſtings, for ſundry Miſdemeanours charged to have been committed by the ſaid Middleton during his aforeſaid Reſidency at Lucknow. But the ſaid Warren Haſtings denies that he the ſaid Warren Haſtings in any Manner avoided ſuch Examina-

tion, or that he ſaid or did any Thing to prevent the ſame.

AND the ſaid Warren Haſtings ſays, that he had no Concern directly or indirectly with the ſaid Aſſignments, otherwiſe than as herein before ſtated: But he has heard and believes that regular Accounts were kept of all the Aſſignments which were made by the ſaid Vizier to the ſaid Middleton; and that the Produce of the ſaid Aſſignments was regularly carried to the public Account of the ſaid Vizier with the Eaſt India Company. And the ſaid Warren Haſtings denies that the ſaid Aſſigments muſt have been, or that to his Knowledge or Belief they were, made for any ſecret criminal Purpoſe, or that the Money received therefrom muſt have been, or to his Knowledge or Belief was, ſo applied.

AND the ſaid Warren Haſtings ſays, that after having been informed of the aforeſaid Offer made by the ſaid Vizier of the ſaid Ten Lacks of Rupees, he the ſaid Warren Haſtings did in the Month of May, One thouſand Seven hundred and Eighty-two, with the Privity and Approbation of the Members of the Supreme Council, depute Major Palmer, and Major Davy as the Aſſiſtant of the ſaid Major Palmer, to the ſaid Nabob Vizier, with written Inſtructions, in which, amongſt other Things, the ſaid Major Palmer was directed in the Words following: "The Nabob Vizier having by "an Intimation made to Mr. Middleton, in "the Month of February laſt, been pleaſed to "expreſs

" expreſs his Deſire to make me a Preſent of
" Ten Lacks of Rupees, and requeſted my
" previous Conſent and Acceptance of the ſame,
" I deſire you will make my Acknowledgment
" in proper Terms for this Inſtance of his Li-
" berality and Benevolence, and acquaint him
" that I am precluded from accepting it by
" many Conditions, but by One eſpecially,
" which I beg him to take in good Part,
" namely, that if I had received it at the Time
" in which the Tender of it was made, it would
" have been liable to Conſtructions even in his
" Breaſt, ſo repugnant to the diſintereſted Friend-
" ſhip which I profeſs and bear towards him,
" that no Conſideration of perſonal Profit could
" have induced me to accept it at ſuch Hazard.
" If he ſhould renew the Offer to you, you will
" inform him that my Objection remains the
" ſame, and is inſuperable; but that if he will
" be pleaſed to transfer it to the Company for
" the Relief of their preſent and known Diſ-
" treſſes, I will accept of it on their Behalf
" with a Thankfulneſs equal to that which I
" ſhould have felt and expreſſed for the Gift had
" it been made to myſelf, the Wants of the
" Company being at this Time of equal Con-
" cern to me as my own. Let him underſtand
" this Subject rightly, and he will ſee in my
" Refuſal, thus qualified, the moſt convincing
" Proofs of my Friendſhip for him, and a Re-
" gard for his Intereſt."

AND the ſaid Warren Haſtings further ſays, that the ſaid Major Palmer and Major Davy, having proceeded to Lucknow on the ſaid Agency, and having, in purſuance of the ſaid In-

 ſtructions,

ſtructions, made ſuch Application to the ſaid Nabob Vizier as is therein directed relative to the ſaid Ten Lacks, the ſaid Nabob Vizier did write a Letter, bearing Date Twenty-third Auguſt, One thouſand Seven hundred and Eighty-two, to the ſaid Warren Haſtings, in which, after mentioning the Application made to him by the ſaid Major Palmer and Major Davy reſpecting the ſaid Ten Lacks of Rupees, the ſaid Vizier did refer, for his Anſwer thereto, to a Letter he had written to the ſaid Major Palmer. And the ſaid Warren Haſtings ſays, that the ſaid Letter from the ſaid Nabob Vizier to the ſaid Major Palmer, ſo referred to, is in the Words following:

" ON the Subject of Ten Lacks of Ru-
" pees, you repeatedly have ſaid that the Na-
" wab Governor's Pleaſure is, that I ſhould
" give them for the Expences of the Com-
" pany's Sircar. The Nawab Governor's Will
" is binding upon me. I can make no Excuſes.
" Take Ten Lacks of Rupees for the Expence
" of the Compan 's Sircar; but you have ſaid,
" that if I am willing to aſſiſt the Affairs of
" the Company's Sircar, you will fulfil my Re-
" queſt agreeably to the Paper. As the Na-
" wab Governor's Permiſſion is arrived with
" reſpect to the Two Points of which you have
" ſpoken, I agree to both of them, and will
" give, for the Expences of the Company's
" Sircar, Ten Lacks of Rupees this Year, and
" Six Lacks of Rupees yearly, in lieu of Re-
" giments, upon Condition that I obtain my
" Requeſt and Authority. It is proper that
" you adjuſt my Requeſts agreeably to a Paper

" upon

" upon which the Nawab Governor has given
" Orders, and reſtore me to the Management
" of every Concern."

AND the ſaid Warren Haſtings ſays, that the ſaid Nabob Vizier did, in and by his ſaid Letter to the ſaid Warren Haſtings, urge ſeveral Reaſons for not furniſhing a Loan of Sixty Lacks of Rupees, with which he was required to aſſiſt the Eaſt India Company. And the ſaid Warren Haſtings admits, that it does not appear in the Correſpondence between the ſaid Vizier and the ſaid Warren Haſtings, whether the ſaid Vizier did or did not advance the ſaid Ten Lacks for the Uſe of the Eaſt India Company, as he was requeſted and had promiſed to do; nor does it appear whether or not any Anſwer was written immediately by the ſaid Warren Haſtings to the Letter of the ſaid Vizier. And the ſaid Warren Haſtings, though he has no particular Recollection on the Subject, is induced to believe that he did not anſwer ſuch Letter; as, in a Letter from the ſaid Warren Haſtings to the ſaid Nabob Vizier, dated Ninth September, One thouſand Seven hundred and Eighty-two, the ſaid Warren Haſtings did ſtate as follows: " My late Illneſs
" has cauſed a Delay in ſending the Anſwer to
" your ſeveral Letters. I am now, thank God,
" recovering; and have come a few Miles above
" Calcutta for the Change of Air upon the
" River." And the ſaid Warren Haſtings ſays, that he was, about that Time, attacked with a ſevere Illneſs, from which he did not recover for the Space of ſome Months. And the ſaid Warren Haſtings further ſays, he believes that the aforeſaid Letter from the Vizier to the ſaid War-

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ren Haſtings had been communicated to the ſeveral Members of the Supreme Council, and was depoſited in the proper Office, and open for their Inſpection at the Time of the aforeſaid Enquiry; and the Contents thereof more fully known to every Member of the ſaid Board. And the ſaid Warren Haſtings denies, that any Paper, relative to the Matters aforeſaid, which it was his Duty to have produced, was ever ſuppreſſed or withheld by him, or that he had the leaſt Deſire to ſuppreſs or withhold from the other Members of the Supreme Council, or from the Eaſt India Company, the Whole or any Part of any Paper or Letter from the ſaid Vizier relative to the Matters aforeſaid.

AND the ſaid Warren Haſtings denies, that he has purpoſely left the Evidence relative to the Matters aforeſaid in a State of Contradiction or Obſcurity, or that he has involved the ſame in Myſtery, or that he has been guilty of any intentional Omiſſion relative thereto, or that he did or doth wilfully and criminally omit to produce or withhold the full Correſpondence touching the ſame, or any Part thereof, or of any Agents in the ſaid Tranſactions. And the ſaid Warren Haſtings avers, that the ſaid Ten Lacks of Rupees, mentioned by the ſaid Nabob Vizier in his aforeſaid Letter to the ſaid Warren Haſtings and the ſaid Major Palmer, are the identical Sum offered to the ſaid Nathaniel Middleton; and he ſubmits, that it doth ſufficiently appear to be ſo. And the ſaid Warren Haſtings, admitting that a Governor General is bound to take care, ſo far as in him lies, that the Management and Accounts of the

East India Company's Revenues entruſted to his Care, or whatever may affect the ſame, mediately or immediately, ſhould be kept in a Manner clear, open, and diſtinct; and that a Governor General is alſo bound to the Obſervance of ſuch other Points of Duty as are in the ſaid Fourteenth Article in that Behalf ſet forth; denies, that he has in any Manner deviated therefrom, or that he has been guilty of any of the criminal Acts, Offences, or Miſconduct in the ſaid Fourteenth Article charged, or that the whole, or any Part of the Conduct of the ſaid Warren Haſtings, in the Matters in the ſaid Fourteenth Article mentioned, was of ſuch Nature, or had ſuch Tendency or Effect, or was calculated to produce ſuch Effect, as in the ſaid Article is ſet forth.

FIFTEENTH ARTICLE.

IN Anſwer to the Fifteenth Article, the ſaid Warren Haſtings, denying that he did entertain any ſuch Opinions, Views, or Motives, as are therein ſtated, and craving Leave to refer to the Anſwers he has already made to ſuch the Allegations therein contained as have been by him already anſwered, ſays, that in or about the Month of March, One thouſand Seven hundred and Eighty-two, an Account was made up at the Preſidency of Fort William, by William Larkins Eſquire, the Accountant General to the Eaſt India Company at the ſaid Preſidency, in the Courſe of his official Duty; in which Account

count were contained certain Articles of Charge upon the ſaid Vizier, which the ſaid Nabob was juſtly liable to pay, and which did amount to about the Sum of Four hundred thouſand Pounds; and the ſaid Account having been tranſmitted by Order of the Board of Council to Nathaniel Middleton Eſquire, then Reſident at Lucknow, the ſame was ſubmitted to the Examination of the proper Officers of the ſaid Nabob; and having been examined by them, the Articles of Charge on the Nabob were allowed, but certain Counter-claims were ſet up on the Part of the Nabob.

AND the ſaid Warren Haſtings further ſays, that the ſaid Counter-claims being communicated to the Governor General and Council, were duly inveſtigated, and the ſaid Accounts were afterwards ſettled, and the exact Balance due to the ſaid Company aſcertained. And the ſaid Warren Haſtings ſays, that he did, as his Duty required, demand Payment of the Amount of the Debt which was juſtly due to the ſaid Company from the ſaid Nabob; and he denies that he took any Means to recover the ſame, or purſued any Conduct in reſpect thereto, contrary to, or inconſiſtent with, his Duty.

AND the ſaid Warren Haſtings ſays, that the Debt due from the ſaid Vizier to the Company did, in the Year One thouſand Seven hundred and Eighty-two, amount to a conſiderable Sum of Money; and that, in order to diſcharge the ſame, the ſaid Governor General and Council were informed by the ſaid Briſtow, that the ſaid Nabob had borrowed

Money

Money at the uſual Intereſt of his Country; but he denies that the ſaid Debt had been occaſioned by enforcing any unjuſt Demands made on the Part of the Company, or any Perſons in their Employ; and he denies that any ſuch were made or enforced.

AND the ſaid Warren Haſtings further ſays, that having quitted India on the Firſt February, One thouſand Seven hundred and Eighty-five, he cannot, from his own Knowledge, ſet forth the State of the Account between the ſaid Company and the ſaid Nabob ſince that Period; but he does not believe that ſuch Conſequences did ariſe from the Company's Demands on the ſaid Nabob, affecting his Country and Government, as in the ſaid Article are ſtated; and he denies that the ſaid Demands were brought forward with any ſuch Views as are therein ſet forth.

AND the ſaid Warren Haſtings, craving Leave to refer to the Anſwer he has already made in reſpect to the Deputation to Lucknow of Major Palmer and Major Davy, in the ſaid Article mentioned, denies that he ever did authorize or inſtruct the ſaid Major Palmer or the ſaid Major Davy to make any ſuch Demand of a Loan from the ſaid Vizier as in the ſaid Article is ſtated; but he ſays he did inſtruct the ſaid Major Palmer as follows: "I deſire "you to endeavour to obtain from the Mi-"niſters, and from Almaſs Alli Cawn, ſuch "Sums of Money as they can ſpare from their "own Means, or raiſe by their Credit upon "Loan for the Service of the Company. To

" effect this, it will be neceſſary to convince
" them, that they will be no Loſers by it,
" but that on the contrary their Property will
" acquire a Security from being lodged in the
" Company's Funds. Explain to them the
" Nature of the Company's Intereſt, Notes,
" and the Means of Credit by which they paſs
" in Circulation, and are transferable from the
" original to other ſucceſſive Proprietors, ſo as
" to give them a juſt Idea of the Tenure and
" of the equal Footing on which native, alien,
" and Britiſh Proprietors ſtand in Poſſeſſion of
" them. At the ſame Time it will be proper
" to apprize them of the Fluctuation of their
" current Value, which it would be criminal to
" ſuppreſs. You may aſſure them that when
" Peace is reſtored to our Eſtabliſhment, and
" our Expences are conſequently diminiſhed,
" the Debt will be gradually paid off, as a
" former Debt contracted before my Appoint-
" ment to the Government, to a much larger
" Amount, was diſcharged in the Courſe of
" Two Years within your own Remembrance ;
" and that the eſtimated Value of the Notes
" will riſe to the Rates of their ſpecific Sums,
" and even above them, on the Proſpect of
" Payment; ſo that the Proprietors will be
" ſubjected to no Loſs, unleſs they ſhall chuſe
" to part with their Property in the Notes
" during the intermediate Times of our Ina-
" bility to diſcharge them, the annual Intereſt
" due in the Interval being duly and punc-
" tually paid. I have no Doubt of their Fi-
" delity, but it can be no way ſo ſtrongly
" ſhewn, nor the Company's Support of them
" be ſo ſtrongly engaged, as by the Aſſiſtance
" required."

" required." And with reſpect to the Demand charged in the ſaid Articles to have been made, that the ſaid Vizier ſhould take Four Battalions of the Company's Troops into his Pay for the Collection of his Revenue, the ſaid Warren Haſtings ſays, that, Application having been made in or about the Month of March, One thouſand Seven hundred and Eighty-two, by the ſaid Vizier to the Governor General and Council, for certain Troops to be ſtationed for the Defence of the Nabob's internal Dominions, and no ſpecific Anſwer having been given to the ſaid Application, the ſaid Major Palmer was inſtructed to confer with the Nabob on the ſaid Subject, who then expreſſing an Unwillingneſs to have the ſaid Meaſure carried into Execution, it was immediately abandoned.

AND the ſaid Warren Haſtings ſays, that he never did falſely or evaſively deny, or endeavour to explain away, any Share he actually had in the above Proceedings; and he denies that he was ever guilty of any Falſehood or Evaſion on the Subject.

AND he admits, that he did not call the ſaid Major Palmer, or the ſaid Major Davy, to account for their Conduct in the Tranſactions aforeſaid, believing then, as he now does, that they had not done any Act which made it incumbent upon him ſo to do.

SIXTEENTH ARTICLE.

IN Anſwer to the Sixteenth Article, the ſaid Warren Haſtings, denying that he did ever entertain any ſuch Deſign, or was actuated by any ſuch Motive, or was guilty of any ſuch criminal Acts as are, in the Introduction to the ſaid Article, ſtated, ſays, that Almas Ali Khan, therein mentioned, did farm conſiderable Diſtricts in the Dominions of the Nabob of Oude, and was a Perſon of great Influence and Power therein. And the ſaid Warren Haſtings ſays, that at various Times, previous to the Twenty-third of October, One thouſand Seven hundred and Eighty-two, he had received Information, which he believed to be true, that the ſaid Almas Ali Khan was at the Head of a conſiderable and powerful Force, at a Time when the Dominions of the Nabob were alſo, in other Reſpects, in great Diſorder and Confuſion, and that he was in a State of Rebellion, and had retreated with the ſaid Force, and a conſiderable Treaſure, to the Confines of the ſaid Dominions. And the ſaid Warren Haſtings ſays, that he made a Repreſentation to the Miniſter of the ſaid Vizier, concerning the ſaid Conduct of the ſaid Almas Ali Khan, and that the Vackeel of the ſaid Vizier did receive, at Calcutta, a Perwannah, purporting to have been ſent by the ſaid Vizier, the Contents of which were communicated to him the ſaid Warren Haſtings, and which repreſented the Information before received by

the

the ſaid Warren Haſtings, touching the ſaid Almas Ali Khan, to be falſe and without Foundation: But the ſaid Warren Haſtings ſays, that he had, at that Time, good Reaſon to believe the Contents of the Perwannah itſelf to be, in this and other Reſpects, untrue. And the ſaid Warren Haſtings further ſays, that he was afterwards informed that the ſaid Almas Ali Khan did return to the Capital of the ſaid Vizier, under an Engagement for his perſonal Safety. And the ſaid Warren Haſtings further ſays, that on or about the Twenty-third of October, One thouſand Seven hundred and Eighty-two, being then abſent from Calcutta for the Recovery of his Health, he did, in conſequence of a Reference made to him from the Board of Council, draw up certain Inſtructions for John Briſtow Eſquire, then Reſident at the Court of Oude, containing, amongſt other Things, the following Paragraph: "The Means by which Almas Ally "Cawn has been permitted to acquire In- "dependency have been long ſeen, and the "Effects of it foretold by every Perſon ac- "quainted with the State of that Govern- "ment, except thoſe immediately intereſted "in it. The late Reſident has been his con- "ſtant Advocate; and I lately underſtand "that, however truly, the Miniſter diſclaims "all Concern in this imprudent Meaſure. It "is very extraordinary that his Defection, his "Retreat to the Frontier, the ſubſequent Ne- "gociations which paſſed between him and "the Nabob, the Engagements concluded be- "tween them, which reſemble more a Treaty "between equal States than a Tranſaction be- "tween a Sovereign and his Vaſſal, have all

"paſſed,

" paſſed, without the leaſt Communication or
" Report of them made to me by the Reſident,
" or his Aſſiſtant, or the Miniſter; and in a
" Letter which I have lately received from the
" Nabob, the Miniſter has had the Preſump-
" tion to make the Nabob declare the whole
" to be falſe and without Foundation, and to
" affirm that every Part of his Dominion
" enjoyed the moſt perfect Peace and Tran-
" quillity. Upon this Subject the Behaviour
" of the Miniſter is ſo reprehenſible, that I
" think it incumbent upon me to let him know
" my Sentiments of it; it will at leaſt ſhew
" him how thin the Veil is by which he covers
" his own Acts, and that ſuch Artifices will only
" tend to make them the more criminal, from
" the Falſehood and Duplicity with which they
" are aſſociated. As for Almas Ally Cawn
" himſelf, the Policy which has been obſerved
" towards him has been ſcandalouſly deroga-
" tory from the Nabob's Dignity and Intereſt,
" and hurtful to the Reputation of our Go-
" vernment, as far as it is connected with it.
" If any Engagement ſhall actually ſubſiſt be-
" tween them at the Time you have Charge
" of the Reſidency, it muſt, however excep-
" tionable, be faithfully obſerved; but if he
" has been guilty of any criminal Offence to
" the Nabob his Maſter, for which no Immu-
" nity is provided in the Engagement, or he
" ſhall break any one of the Conditions of it, I
" do moſt ſtrictly enjoin you, and it muſt be
" your ſpecial Care, to endeavour, either by
" Force or Surprize, to ſecure his Perſon and
" bring him to Juſtice; by bringing him to
" Juſtice I mean, that you urge the Nabob,

" on due Conviction, to puniſh him with Death,
" as a neceſſary Example to deter others from
" the Commiſſion of the like Crimes; nor
" muſt you deſiſt, till this is effected. I cannot
" preſcribe the Means; but, to guard myſelf
" againſt that Obloquy to which I may be ex-
" poſed by a forced Miſconſtruction of this
" Order by thoſe who may hereafter be em-
" ployed in ſearching our Records for Cavils
" and Informations againſt me, I think it
" proper to forbid, and proteſt againſt the Uſe
" of, any fraudulent Artifice or Treachery,
" to accompliſh the End which I have pre-
" ſcribed; and as you alone are privy to the
" Order, you will of courſe obſerve the ſtricteſt
" Secrecy, that it may not tranſpire; but I
" repeat my Recommendation of it as one
" of the firſt and moſt eſſential Duties of
" your Office."

AND the ſaid Warren Haſtings further ſays, that the ſaid Inſtructions being laid before the Board of Council at Calcutta, for their Approval and Correction, they did unanimouſly approve of the ſame, and ordered that they ſhould be copied fair, and diſpatched to the ſaid Briſtow, which was accordingly done. And the ſaid Warren Haſtings denies, that, at the Time the ſaid Inſtructions were given, he knew of any ſuch Engagement on the Part of the ſaid Vizier with the ſaid Almas Ali Khan, as in the ſaid Sixteenth Article is ſtated, or that the ſaid Inſtructions to the ſaid Briſtow were of ſuch Nature or Tendency, or that the Conduct of the ſaid Warren Haſtings in reſpect thereof was ſuch as in the ſaid Sixteenth Article

ticle is ſtated, or that he was in any Manner criminal in reſpect thereof. And the ſaid Warren Haſtings ſays, that the ſaid Briſtow did repreſent that he had not attempted to ſeize upon the Perſon of the ſaid Almas Ali Khan, declaring that, inaſmuch as the ſaid Almas Ali Khan had returned to Lucknow, under a poſitive Engagement of perſonal Safety, ſuch a Meaſure would have been conſidered an Act of Treachery, and was therefore, as he the ſaid Briſtow did alſo declare, peremptorily forbidden by the ſaid Inſtructions. And the ſaid Warren Haſtings ſays, that the ſaid Briſtow did afterwards tranſmit to the Board of Council ſundry Complaints and Documents reſpecting ſuch Subjects as are in the ſaid Article ſtated; and the ſaid Board did thereupon direct an Enquiry to be made as to the Truth thereof; and he admits, that he did, on the Firſt of January, One thouſand Seven hundred and Eighty-four, write a Letter to the ſaid Almas Ali Khan, containing Expreſſion of Favour and Protection, and ſtating, that he did not give Credit to the Accuſations againſt him; which Letter, he avers, was in the then State of public Affairs proper and neceſſary. And the ſaid Warren Haſtings denies, that, after going to Lucknow, he did inveſt the ſaid Almas Ali Khan with any Power whatever; but he ſays that the ſaid Almas Ali Khan was by the ſaid Vizier continued in the ſame Authority as he had before poſſeſſed.

AND the ſaid Warren Haſtings believes it to be true, that previous to the Arrival of the ſaid Warren Haſting at Lucknow as aforeſaid, the

the ſaid Almas Ali Khan had held his Farms of Revenue from Year to Year; and the ſaid Warren Haſtings ſays, that ſome Time in the Month of July, One thouſand Seven hundred and Eighty-four, the ſaid Vizier did make a Settlement of his Country with his Aumeens or Collectors, and amongſt the reſt with the ſaid Almas, for a Term of Five, and in ſome Inſtances, Six Years; but the ſaid Warren Haſtings denies, that the ſaid Settlement with the ſaid Almas was of ſuch Nature as in the ſaid Sixteenth Article is ſtated: And he further ſays, that a Sum of Money, amounting to Fifteen Lacks of Rupees, was afterwards, on the Suggeſtion of him the ſaid Warren Haſtings, advanced by way of Loan to the ſaid Nabob Vizier by the ſaid Almas, concerning which the ſaid Warren Haſtings did, in a Letter to the Court of Directors, dated the Thirtieth of April, One thouſand Seven hundred and Eighty-four, write as follows: "The Third Article (meaning the ſaid Loan) was obtained by my own Suggeſtion from Almas Ali Khan, who complied cheerfully and without Heſitation therewith, conſidering it as an Evidence ſeaſonably offered for the general Refutation of the Charges of Perfidy and Diſloyalty which have been ſo laborioufly urged againſt him, and carried at one Time to an Exceſs which had nearly driven him to abandon the Country for the Preſervation of his Life and Honour, and thus to give a Colour to the Charges themſelves."

AND the ſaid Warren Haſtings denies, that ſuch his Repreſentation was falſe, or that

he had any Intention therein to deceive the Court of Directors, or that, to his Knowledge or Belief, the ſaid Almas had at the Time of ſuch Repreſentation neglected to pay up the regular Inſtalments ſtipulated by the Terms of his Leaſe; or that the ſaid Warren Haſtings was in the Whole, or any Part of the ſaid Tranſaction, guilty of any ſuch Miſconduct as in the ſaid Sixteenth Article is ſuggeſted, or of any Crime or Miſdemeanour whatſoever.

SEVENTEENTH ARTICLE.

IN Anſwer to the Seventeenth Article, the ſaid Warren Haſtings ſays, he believes it to be true, that the Laws and Cuſtoms of the Eaſt allow a Plurality of Wives and Concubines, and the Families of the Princes of Indoſtan are generally numerous; but the ſaid Warren Haſtings denies that the Sons of the ſaid Princes are all equal in Dignity, of whatſoever Mothers they may have been born. And he ſays, that by the ſaid Laws and Cuſtoms the Maintenance of ſuch Families does entirely depend upon the Will and Pleaſure of the reigning Sovereign; the ſaid Warren Haſtings denying, however, that he poſſeſſed the whole Power and Dominion of the Nabob of Oude, or that he was in Juſtice or Duty bound to take care that a due Proviſion ſhould be made for the Brothers and Siſters of the ſaid Nabob, admits that he did not interpoſe for the Purpoſe of procuring any other Proviſion for the ſaid Brothers

and other Relations of the ſaid Nabob than what he the ſaid Nabob had himſelf actually allotted.

AND the ſaid Warren Haſtings ſays, that he cannot ſet forth what Allowances were made to the ſuppoſed Relations of the ſaid Nabob, nor how ſuch Allowances were paid, nor the Number or reſpective Ages of thoſe Relations: But he denies that any Defalcation of their Maintenance, if ſuch there was, proceeded from any ſuch Cauſes as are in the ſaid Seventeenth Article ſtated: And, with reſpect to the ſaid Surgeon, of the Name of Thomas, in the ſaid Article mentioned, the ſaid Warren Haſtings denies that the ſaid Thomas was patronized by him the ſaid Warren Haſtings, or that any Allowance to him did in any Manner ariſe from the Interference or Recommendation of him the ſaid Warren Haſtings; but he ſays, that the Allowances made to the ſaid Thomas, by the ſaid Vizier, were ſuch as the ſaid Vizier did of himſelf think proper to make; the ſaid Thomas, although he was not then perſonally known to the ſaid Warren Haſtings, having been, at the expreſs Deſire of Shuja Dowla, the late Vizier, ſent up to Lucknow, to attend him and his Houſehold, and to furniſh Medicines for them and ſuch of his Subjects as might require his Aſſiſtance. And, as to the ſuppoſed Salary and Emoluments ſtated in the ſaid Seventeenth Article to have been paid to Major William Palmer therein mentioned, the ſaid Warren Haſtings ſays that the ſame, if any ſuch were paid, were paid without the Knowledge, Privity, or

Recommendation of him the ſaid Warren Haſtings.

AND the ſaid Warren Haſtings ſays, that in or about the Month of July, in the Year One thouſand Seven hundred and Eighty-three, a Paper was received, incloſed in a Letter to the Governor General and Council, from Mr. Briſtow, purporting to be a Tranſlation of a Letter from Three Brothers of the ſaid Vizier, in which they did repreſent themſeves to be in Diſtreſs for dry Bread and Cloaths; but whether ſuch Diſtreſs actually exiſted, and was relieved by the ſaid Briſtow, the ſaid Warren Haſtings cannot ſet forth.

AND the ſaid Warren Haſtings further ſays, that ſome Time in the Month of September, One thouſand Seven hundred and Eighty-four, the ſaid Warren Haſtings being then at Benâres, did receive Information that Mirza Hyder Ally was arrived there; and the ſaid Warren Haſtings not knowing before that Time that there was any ſuch Perſon, did write to the Nabob Vizier to the Purport or Effect following:

" A few Days ſince I learnt that a Perſon called
" Mirza Hyder Ally was arrived at Benâres,
" and called himſelf a Son of the deceaſed Na-
" bob Shuja Dowla; and I was alſo told that
" he came from Fyzabad; as I did not know
" whether he left Fyzabad with or without
" your Conſent, I therefore did not pay him
" much Attention; and I now trouble you to
" give me every Information on this Subject,
" how he came here, and what your Intentions

" are

" are about him; he remains here in great " Diſtreſs; and I therefore wiſh to know your " Sentiments."

AND the ſaid Warren Haſtings further ſays, that having received an Anſwer from the ſaid Vizier, he did, on or about the Thirteenth of October, One thouſand Seven hundred and Eighty-four, incloſe the ſame in a Letter to the ſaid Mirza, of which Letter the following is a Copy: " An Anſwer is arrived to what I " wrote, on your Account, to the Nabob Vi- " zier, which I encloſe to you. Having read " it, you will ſend it back. I conceive you " had better go to the Nabob Vizier's Preſence, " who will certainly afford you Protection and " Aſſiſtance. I will write what is proper to " carry with you to the Nabob, and it will, in " every Reſpect, be for your Good. What- " ever may be your Intention on this Head, " you will write to me." And the ſaid Warren Haſtings ſubmits, that it was no Part of his Duty, as Governor General, to interfere with the ſaid Vizier on Behalf of the ſaid Mirza, or to obtain from the ſaid Vizier any ſpecific Aſſurances on the Subject.

AND the ſaid Warren Haſtings further ſays, that he was informed that Mirza Jungli, in the ſaid Article alſo mentioned, did leave his native Country in Diſtreſs, and did go to Mirza Shuffy Khan, in the ſaid Article alſo mentioned. And the ſaid Warren Haſtings likewiſe admits he was informed, that the ſaid Mirza Jungli did afterwards leave the ſaid Mirza Shuffy Khan, and repair to the Camp of Mahdajee Scindia,

with

with a view of obtaining ſome Eſtabliſhment for himſelf and Followers.

AND the ſaid Warren Haſtings further ſays, that in certain Letters written by David Anderſon Eſquire, and John Briſtow Eſquire, it was repreſented that the ſaid Mirza Jungli did apply to the ſaid Briſtow, through the ſaid Anderſon, then on an Embaſſy in the Camp of the ſaid Scindia; and that in conſequence thereof the ſaid Briſtow did, amongſt other Things, apply to the ſaid Nabob Vizier for a certain Allowance to be made to the ſaid Mirza, and for the regular Payment thereof; and that a certain Allowance was accordingly ſettled by the ſaid Vizier on the ſaid Mirza. And the ſaid Warren Haſtings ſays, that Information of the above Tranſactions was tranſmitted to the Board of Council, and that a Letter from the ſaid Vizier was received on the Twenty-third of Auguſt, One thouſand Seven hundred and Eighty-two, containing certain Repreſentations of the Diſtreſſes of himſelf and his Family. And he admits, that no Order was made by him the ſaid Warren Haſtings for the Proviſion of any of the ſaid Family, or for the Return of the ſaid Mirza. But the ſaid Warren Haſtings denies that he was guilty of any Cruelty, Inhumanity, or Corruption, or of any Miſconduct whatſoever, in the Matters aforeſaid.

AND the ſaid Warren Haſtings further ſays, that about the Beginning of the Year One thouſand Seven hundred and Eighty-four, the ſaid Mirza did apply by Letter to him

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the ſaid Warren Haſtings, to uſe his Endeavours with the ſaid Nabob touching the Buſineſs of his the ſaid Mirza's Jaghire. And the ſaid Warren Haſtings ſays, that he did in Anſwer thereto inform the ſaid Mirza, that he conceived it improper to trouble the ſaid Vizier on the Subject, conſidering the heavy Expences and Diſtreſſes of his the ſaid Vizier's Government at the Time of the ſaid Application to him the ſaid Warren Haſtings by the ſaid Mirza. But he denies that ſuch Expences and Diſtreſſes were occaſioned by any Intrigues or Miſconduct of him the ſaid Warren Haſtings.

AND the ſaid Warren Haſtings further ſays, That on the Twenty-ninth of January, One thouſand Seven hundred and Eighty-four, after the Recal of the ſaid Briſtow, he the ſaid Briſtow did tranſmit to the Governor General and Council Two Letters, one dated Twenty-eighth of December, One thouſand Seven hundred and Eighty-three, the other Seventh of January, One thouſand Seven hundred and Eighty-four, purporting to be written by the ſaid Nabob Behadre, addreſſed to him the ſaid Briſtow, to the Effect in the ſaid Article ſtated. And the ſaid Warren Haſtings admits, that when at Lucknow he did not inſtitute any Enquiry into the ſuppoſed Tranſaction in the ſaid Seventeenth Article ſtated; or make any Order concerning the ſaid Behadre; and he denies that it was his Duty ſo to do.

AND the ſaid Warren Haſtings denies, that in reſpect of all or any of the Matters in the ſaid Article ſtated, he has been guilty of

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any criminal Neglect or Omiſſion, or of any Miſconduct whatſoever; or that he was or is reſponſible for the Diſtreſſes therein ſuppoſed to have exiſted; or that he did bring any Diſgrace on the ſaid Nabob; or in any Manner diſcredit or diſhonour the Juſtice or Humanity of the Britiſh Name.

EIGHTEENTH ARTICLE.

AND the ſaid Warren Haſtings, in Anſwer to the ſaid Eighteenth Article, ſays, that he has frequently expreſſed his Diſapprobation of the Syſtem of Interference in Oude by means of an Engliſh Reſident, and that he did originally oppoſe the Introduction thereof; but he denies it to have been his Duty to have wholly declined ſuch Interference after the Syſtem of ſuch Interference was eſtabliſhed, or to have acted in reſpect to the ſame in any other Manner, or upon any other Principles, than thoſe by which he was bound to regulate his Conduct in reſpect to other Matters entruſted to his Diſcretion. And the ſaid Warren Haſtings ſays, that ſuch Interference was continued with the Approbation of the Governor General and Council, he the ſaid Warren Haſtings being Governor General; but he denies that he ever entertained any ſuch corrupt Views as are in the ſaid Article in that Behalf imputed to him. And he ſays, that the ſaid Governor General and Council did from Time to Time, as the Public Service required, regulate and diſtribute the

Functions

Functions and Powers of the ſeveral Engliſh Agents by them employed on that Service; but he denies that he ever did, without aſſigning a Reaſon for ſuch Meaſure, or by his ſole Authority, and without the Concurrence of the Board, remove any Perſon intruſted with ſuch Agency. AND the ſaid Warren Haſtings denies, that the ſaid Mr. Middleton was recalled at the Time, or upon the Occaſion, referred to in the ſaid Article: But he ſays, that the ſaid Middleton, by a Letter addreſſed to the Governor General and Council, on the Twenty-third of Auguſt, One thouſand Seven hundred and Seventy-nine, did aſk leave to reſign his Office; and his Reſignation was thereupon accepted. And the ſaid Warren Haſtings denies that Mr. Hoſea was ever appointed, or by him agreed to be appointed, to the Reſidency at Oude; or did, as the ſaid Warren Haſtings believes, ever act as Reſident: And he further ſays, that Mr. Purling did, ſoon after the Reſignation of the ſaid Mr. Middleton, ſucceed to the Reſidency at Oude, under the Appointment of the Board, and continue therein until he was afterwards removed from, and Mr. Briſtow was appointed to, the ſaid Office, in the Month of October, One thouſand Seven hundred and Eighty, by a Reſolution of the Board, in which the ſaid Warren Haſtings did not concur. And he denies, that, upon the Removal of Mr. Purling, Mr. Middleton was reſtored to or continued in that Office, ſingly, for a Year, or as is ſtated in the ſaid Article, or for any other Period of Time.

AND the ſaid Warren Haſtings admits that Mr. Briſtow, at the Period referred to in

the ſaid Article, came to England, and obtained the Orders of the Court of Directors for his Reinſtatement; and that he the ſaid Warren Haſtings did, under the Circumſtances, and for the Reaſons ſtated in his ſeveral Minutes of the Second and Third of October, One thouſand Seven hundred and Eighty, and to which he craves Leave to refer, propoſe, and the Board did reſolve, to limit Mr. Briſtow's Appointment ſolely to the Conduct of ſuch political Negociations, Correſpondence, and Tranſactions, as that Government might then, or at any future Period, be engaged in with the Vizier; and that he ſhould, in no Shape, interfere in any Matters reſpecting the Company's Pecuniary Engagements with his Excellency; and that Mr. Nathaniel Middleton ſhould be appointed Agent, on the Part of Government, for receiving, collecting, and managing the Tuncaws, or Aſſignments, which had been, or might thereafter be, granted by the Nabob for the Liquidation of the Claims of that Government upon him; and that he ſhould be further intruſted with the Adjuſtment of the Accounts and Diſburſements relative thereto; and that he ſhould be directly anſwerable to the Authority and Orders of the Governor General and Council, and in no Reſpect whatever dependant on, or connected with, the Office of Reſident. And he denies that the Appointments laſt mentioned had the Tendency, or were of the Nature, ſtated in the ſaid Article. AND the ſaid Warren Haſtings denies that he ever neglected to anſwer any Letter of the ſaid Briſtow which it concerned the Duties of his Situation or the public Intereſt that he ſhould have

 anſwered,

anſwered, or that he neglected to give him any Inſtruction which he ought to have given, or that he prevented the Nabob from conferring with him on any Affairs whatſoever, as alledged in the ſaid Article.

AND the ſaid Warren Haſtings denies that the ſaid Briſtow was afterwards removed upon a Pretence only that he was diſagreeable to the Nabob; for he ſays that he was removed by the Governor General and Council, the ſaid Warren Haſtings being then Governor General, in conſequence, amongſt other Things, of an urgent Requeſt for that Purpoſe contained in a Letter from the Nabob, received by the ſaid Warren Haſtings on the Twentieth of May, One thouſand Seven hundred and Eighty-four, and by him laid before the Board. And the ſaid Warren Haſtings avers, that the Removal of the ſaid Briſtow was, in the then Situation of the Affairs of the Company and the ſaid Nabob, a proper and expedient Meaſure.

AND the ſaid Warren Haſtings ſays, that the ſaid Middleton was afterwards by the Governor General and Council, the ſaid Warren Haſtings being then Governor General, re-appointed to the Office of Reſident, together with Mr. Johnſton as his Aſſiſtant therein; and that Mr. Briſtow was afterwards again appointed by the Governor General and Council, the ſaid Warren Haſtings being then Governor General, to be Reſident at Oude. And the ſaid Warren Haſtings ſays, that he did, in a Letter addreſſed by him to the Court of Directors, and dated the Twen-

tieth of March, One thouſand Seven hundred and Eighty-three, declare as follows: "When "the State of this Adminiſtration was ſuch as "ſeemed to admit of the Appointment, with-"out much Diminution of my own Influence, "I gladly ſeized the Occaſion, to ſhew my "Readineſs to ſubmit to your Commands. I "propoſed his Nomination (meaning the No-"mination of the ſaid Briſtow): He was no-"minated, and declared to be the Agent of "my own Choice." And the ſaid Warren Haſtings did, in the ſaid Letter, farther repreſent to the ſaid Court of Directors in what Manner he apprehended that ſuch Diminution of his Influence would be detrimental to the Affairs of the Company: But for the full and particular Contents of the ſaid Letter, the ſaid Warren Haſtings craves Leave to refer thereto, when the ſame ſhall be hereafter produced.

AND the ſaid Warren Haſtings ſays, that he did, in a Letter to the Vizier, declare to the Effect ſtated in the ſaid Article, in order to obviate the miſchievous Conſequences which he apprehended might follow from the apparent Diminution of his Authoriy.

AND the ſaid Warren Haſtings ſays, that Mr. Briſtow was afterwards removed by the Authority of the Governor General and Council, he the ſaid Warren Haſtings being then Governor General; but he denies that he did, by means of ſuch Removal, ſeek to obtain, or did in Effect obtain, the ſaid Office of Reſident for himſelf, or that he did ever perform the Function of the ſaid Office himſelf; but he ſays that

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the ſaid Briſtow was removed for Reaſons ſufficiently authorizing ſuch Removal; and for an Account of ſuch Reaſons, as well as for the Proceedings of the Board upon that Occaſion, the ſaid Warren Haſtings craves Leave to refer to his Anſwer to the Nineteenth Article hereinafter made. And the ſaid Warren Haſtings ſays, that he did, early in the Year One thouſand Seven hundred and Eighty-four, proceed to Lucknow, for the Purpoſe of regulating the Company's Intereſt in the Province of Oude, at the Invitation of the Vizier, and under the Authority and Delegation of the Government of Bengal. AND the ſaid Warren Haſtings, denying that he left the Office of Reſident in the Poſſeſſion of Major Palmer in the ſaid Article mentioned, ſays, that upon his Return from Lucknow, in the Month of Auguſt, One thouſand Seven hundred and Eighty-four, Major Palmer was left by him in Charge of certain Public Concerns there. And the ſaid Warren Haſtings denies that he ever ſought or entertained any ſuch Object or Purpoſes as are ſtated in the ſaid Article, or that he ever uſurped the ſole, immediate, or perſonal Nomination of Public Reſidents, ſuch Reſidents having been in every Inſtance appointed and removed by the Board. And he further denies that he ever changed them at his own arbitrary Pleaſure. And the ſaid Warren Haſtings admits that he wrote to, and received from, Perſons occaſionally bearing the Office of Reſident at Oude, ſundry Private Letters which are not entered on the Public Conſultations. And he denies that he was by Law bound ſo to have entered the ſame. And he denies, that in any Inſtance in which he

he produced Extracts of ſuch Correſpondence he was by Law required to make any further or other Communication of ſuch Correſpondence than he actually made in ſuch Inſtance. And he denies, that in reſpect thereto, he was actuated by any ſiniſter, corrupt, or improper Views or Deſigns whatſoever.

AND the ſaid Warren Haſtings ſays, that he did occaſionally correſpond and communicate with the Reſidents at Oude for the Time being, by means of various Perſons; but he denies that his Conduct in this Reſpect was in any Manner improper.

AND the ſaid Warren Haſtings denies, that he did by his Influence prevail with the ſaid Vizier originally to appoint the ſaid Hyder Beg Khan to be his Miniſter, or to continue him in that Office againſt the Will of him the ſaid Vizier. And the ſaid Warren Haſtings admits that the ſaid Hyder Beg Khan did in a Letter, dated the Seventh of April, One thouſand Seven hundred and Eighty-three, being at a Time long ſubſequent to his Appointment to the Office of Miniſter to the ſaid Nabob, uſe ſuch Expreſſions of Obedience and Submiſſion to the ſaid Warren Haſtings, and make ſuch Declarations, as are in the ſaid Article ſtated; but he denies that the ſaid Hyder Beg Khan was in fact dependant upon him the ſaid Warren Haſtings, or that the ſaid Declaration of the ſaid Hyder Beg was by him meant in the Senſe which the Terms of that Declaration literally import; but for his true Meaning therein, the ſaid Warren Haſtings craves Leave

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to refer to the Letter of the ſaid Hyder Beg, containing the ſame, when it ſhall be hereafter produced.

AND the ſaid Warren Haſtings admits, that he did declare his Belief that the ſaid Hyder Beg Khan had affixed the Name and Seal of the Nabob to Letters without his Conſent, and that the Nabob was in Effect a Cypher in his Hands.

AND the ſaid Warren Haſtings ſays, that he has occaſionally diſapproved and endeavoured to controul the Conduct of the ſaid Hyder Beg, with whoſe Adminiſtration of the Government of Oude the Intereſts of the Eaſt India Company were in ſome Reſpects materially connected. And the ſaid Warren Haſtings, as to the Menaces in the ſaid Article ſuppoſed to have been held out by him to the ſaid Hyder Beg Khan, ſays, that he did, in a certain Letter to the ſaid Hyder Beg Khan, which he preſumes to be alluded to by the ſaid Article, expreſs himſelf as follows: "As the firſt Effect of your "Exertions, I require that the Balance which "is due to the Company be fully cleared by "the End of the Year, ſo that not an Anna "ſhall remain in Arrears.—I have a Right to "exact this Return to the Confidence which "the World has ſeen me place in you, and "to the good Offices which the Friendſhip "of the Nabob Vizier has enabled me to afford "you.—If I am diſappointed, you will impoſe "on me the painful and humiliating Neceſſity "of acknowledging to him that I have been "deceived, and of recommending the Examination of your Conduct to his Juſtice, both

"for

" for the Redreſs of his own and the Com-
" pany's Grievances, and for the Injury ſuſtain-
" ed by both in their mutual Connexion." And the ſaid Warren Haſtings ſubmits, that neither the Object or the Terms of this Repreſentation were in any Reſpect improper. And the ſaid Warren Haſting ſays; that he did, in certain Inſtructions to Major Palmer, dated the Sixth of May, One thouſand Seven hundred and Eighty-two, ſtate, amongſt other Things, as follows: " You may aſſure the Nabob that we will
" never interfere in his Affairs beyond his own
" Deſire, nor make any Claim upon him but
" for what may remain of his Debt to the Com-
" pany, the Payment of his Subſidy, and of
" the future Charges incurred by other De-
" tachments employed at his Requiſition, and
" for his Defence. Much Delicacy and Caution
" will be required in your Declarations on this
" Subject, leſt they ſhould be conſtrued to ex-
" tend to an immediate Change in the Admi-
" niſtration of his Affairs, or to the Inſtru-
" ments of it; their Perſons muſt be conſidered
" as ſacred, whilſt they act with the Participa-
" tion of our Influence."

AND the ſaid Warren Haſtings ſays, that he did, in the Diſcharge of his official Duty, hold Communications through different Perſons with the ſaid Hyder Beg Khan and the ſaid Nabob; but he denies that he did, contrary to Law or his Duty, omit to produce any ſuch Communications, or any Part thereof; and he ſays, that he did, at different Times, receive various Complaints from the ſaid Hyder Beg againſt Britiſh Reſidents in Oude, all which Complaints were laid before the Board of Council, and were

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by them proceeded upon as the Nature of ſuch Complaints required. But the ſaid Warren Haſtings denies, that he did act thereupon in ſuch Manner as in the ſaid Article is ſtated. And he further denies, that he did unlawfully, or contrary to his Duty, or with any of the Views, or for any of the Purpoſes, ſtated in the ſaid Article, ſend up to Lucknow the ſaid Major Palmer and Major Davy; but he admits, that he did, in certain Letters to the Vizier, make uſe of the Expreſſions concerning Major Palmer ſtated in the ſaid Article. And the ſaid Warren Haſtings denies that he did tranſmit, through the ſaid Agents, divers Letters to the ſaid Miniſter, or the ſaid Nabob, of which the Public Reſidents did not receive any Copy or Tranſlation, or of the Contents of which they were not authentically informed; and he ſays that, in Letters to the ſaid Nabob, and to the ſaid Hyder Beg, entered on the Public Conſultations, there do appear References to the ſaid Major Palmer, but not to the ſaid Major Davy, for further Information; and he denies, that any Letters have been illegally or improperly by him ſuppreſſed, or that he ever did, without due Examination of their reſpective Merits or Demerits, take part either with the Reſident or Miniſter, or wilfully, or for any evil Purpoſe, in any Manner abet or ferment any Diſturbances or Diſtractions whatſoever. AND the ſaid Warren Haſtings ſays, That he did, in conſequence of certain Accounts which he had then lately received of the Neglect and Miſconduct of the ſaid Hyder Beg Khan, write to the ſaid Hyder Beg Khan ſuch Letter of Complaint and Remonſtrance as is referred to, in the ſaid

Article, and already in Part recited in this Anſwer, and to which he craves Leave to refer: And that he afterwards received a Letter from the ſaid Major Palmer to the Effect ſtated in the ſaid Article, and that he did tranſmit to the Board of Council a Letter from the ſaid Hyder Beg to the ſaid Major Davy, containing Charges againſt the ſaid Johnſtone; and he ſays, that as well in conſequence of thoſe Letters, as of various other Informations received by him relative to the diſtracted State of the Vizier's Country, the Truth whereof the ſaid Warren Haſtings had Reaſon to believe, and which appeared to him to prove the Neglect of the then acting Reſident, he did recommend to the Board at Calcutta (which he was then unable from Illneſs to attend perſonally) to order the ſaid Johnſon immediately down to Calcutta, and that the Commanding Officer at Cawnpore ſhould be directed, in caſe of the Diſobedience of Mr. Johnſon, to ſee the Orders of the Board enforced; and he further expreſſed his Opinion, that a Copy of the Orders of the Board ſhould be tranſmitted to Mr. Middleton, that he might likewiſe aſſiſt in the Execution of them; which Recommendation of the ſaid Warren Haſtings, the Board accordingly adopted. And the ſaid Warren Haſtings denies, that he had at any former Time received any Charges againſt Mr. Johnſton of a Nature equally alarming with thoſe contained in the Letters herein laſt mentioned. AND the ſaid Warren Haſtings ſays, that he did, after the Recal of Mr. Johnſon, on the Twentieth of October, One thouſand Seven hundred and Eighty-two, in a Letter of that Date, expreſs his Diſapprobation of the Conduct of

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the ſaid Hyder Beg Khan. But he ſays, that the Subject of ſuch Letter was wholly foreign to any Matter of Charge againſt the ſaid Johnſon, and unconnected with the Cauſes of his Removal. And the ſaid Warren Haſtings ſays, that he did in a Letter dated the Twenty-ſecond of September, One thouſand Seven hundred and Eighty-two, and to which Letter he prays Leave to refer, recommend to the Board the Recal of the ſaid Middleton, on certain Grounds therein ſtated. And he did, in his ſaid Letter, ſtate, that the ſaid Middleton had failed in his Duty in not having carried into Execution the Conditions and Spirit of the ſaid Treaty. But he denies that ſuch Recal was contrary to good Faith, or that he did ever make any ſuch Promiſe, as in the ſaid Article is ſtated.

AND the ſaid Warren Haſtings denies that he did, by all or any of the ſuppoſed Means ſtated in the ſaid Article, ever throw any Difficulties or Diſcouragements in the Way of any Reſident; or that he was guilty of any ſuch Conduct with reſpect thereto, as is ſtated in the ſaid Article; or that he did upon any ſuch ſuppoſed Syſtem, or under the Influence of ſuch ſuppoſed Motives, as are in the ſaid Article ſuggeſted, or in any other Manner whatſoever, ever weaken or render odious the Britiſh Government, diſturb or diſtract the Government of Oude, diſorder the Company's Affairs, protract the Payment of the Debt due to the ſaid Company from the ſaid Nabob, or give any Incitement to Rapacity or Peculation, as in the ſaid Article is charged againſt him.

NINETEENTH ARTICLE.

IN Anſwer to the Nineteenth Article, the ſaid Warren Haſtings ſays, that in the Month of September, One thouſand Seven hundred and Eighty-two, believing the Affairs of Oude to have been long in all ill Condition, owing to the Miſmanagement that prevailed therein, and to other Cauſes, he did write the following Letter to the Council General at Fort William, bearing Date, upon the Ganges near Tookſagore, Twenty-ſecond September, One thouſand Seven hundred and Eighty-two, at which Place he was then confined by Illneſs:

" Gentlemen,

" A few Days before my preſent Indiſpoſition " commenced, I informed you, that I was ſorry " to find that the Reſident at the Vizier's Court " had evidently failed in his Duty to this Go- " vernment, in not having carried into Execu- " tion the Conditions and Spirit of the late " Treaty with the Vizier. I had farther the " Mortification to be obliged to inform you, " that neither the Reſident, nor his Deputy in " his Abſence, had communicated to me the " Confuſions which had ariſen in the Vizier's " Dominions from a Neglect or Violation of the " Treaty. The Letters which I wrote in con- " ſequence of ſuch Miſmanagement to the " Reſident, and to the acting Miniſter of the " Vizier, were laid before you and approved.

" Upon

" Upon the ſame Occaſion I obſerved to you,
" that the Obſtacle which oppoſed itſelf to the
" Nomination of Mr. Briſtow to the Reſident-
" ſhip at Oude no longer exiſted; it was remov-
" ed by my having vindicated what muſt ever
" be eſteemed one of the neceſſary Privileges of
" this Government. I had the Pleaſure of
" finding, upon the moſt impartial Enquiry,
" that the Conduct of Mr. Briſtow, during his
" former Reſidence at the Court of the Vizier,
" had been proper and attentive. I accord-
" ingly wiſhed to recommend him to ſucceed
" the preſent Reſident, provided the Vizier had
" no reaſonable Objections to his Appointment.
" I have now great Satisfaction in informing
" you, that my Letter to the acting Miniſter
" of the Vizier has had the happieſt Effect in
" realizing the heavy Balances due to the Com-
" pany from Oude; and it is ſaid, that the
" preſent Reſident and his Deputy are brought
" to a proper Senſe of their Duty to the Com-
" pany. But as in every Act of my Admini-
" ſtration of the Affairs of the Company, I never
" had an Object in View but their permanent
" Intereſt, as far as my Judgment could direct
" me; and as Prejudice in favour of thoſe in
" whom I have confided, or againſt thoſe who
" oppoſed me, vaniſh in my Mind when the
" Good of the Service requires it, I now wiſh
" you to recal Mr. Middleton from the Court
" of the Vizier, and to appoint Mr. Briſtow in
" his room. My weak State of Health obliges
" me to dictate this Letter from my Bed; yet
" I cannot but add, that your Inſtructions to
" Mr. Briſtow ſhould be ſtrong and poſitive
" upon Three Points: Firſt, that he ſhould al-

" ways

" ways ſhew every poſſible Reſpect to the Vizier
" and his Family; Secondly, that he ſhould
" take the moſt effectual Steps for ſecuring all
" that may remain unpaid of the Company's
" Balances; Thirdly, that the Security and in-
" ternal Peace of the Vizier's Dominions, and
" the Happineſs of the People, ſhould be con-
" tinually in his View; and that he ſhould
" communicate fully and freely with this Go-
" vernment upon thoſe Subjects. The State of
" my Health requires my proceeding farther up
" the River, and I ſhall communicate to Mr.
" Briſtow, with your Approbation, any more
" particular Inſtructions that may occur to me,
" and that I may be able to ſend him."

AND the ſaid Warren Haſtings ſays, that the ſaid Board of Council in the ſaid Month of September, One thouſand Seven hundred and Eighty-two, in conformity to the Recommendation of the ſaid Warren Haſtings, reſolved to recal the ſaid Nathaniel Middleton Eſquire immediately from the Vizier's Court, and to appoint the ſaid John Briſtow Eſquire to ſucceed the ſaid Middleton in the Office of Reſident at the ſaid Vizier's Court.

AND the ſaid Warren Haſtings further ſays, that, in conſequence of a Reference from the ſaid Board, ſundry Inſtructions for the Conduct of the ſaid Briſtow in his ſaid Office, were drawn up by the ſaid Warren Haſtings, on the Twenty-ſecond October, One thouſand Seven hundred and Eighty-two, and ſubmitted to the Board for Correction and Approval, and were, by Order of the Board, tranſmitted to Mr. Briſtow by their

Secretary; but he denies that it was thereby intended to inveſt the ſaid Briſtow with the Power of reforming, by his own Authority, and without the Conſent and Approbation of the ſaid Nabob Vizier, the Abuſes which prevailed in the ſaid Nabob's Dominions; or that the ſaid Warren Haſtings did, in Effect and Subſtance, authorize or require the ſaid Briſtow to exerciſe all the Functions of Government; and the ſaid Warren Haſtings, as to the Particulars of the written Inſtructions by him given to the ſaid Briſtow, from which certain Parts or Extracts are, in the ſaid Nineteenth Article, ſet forth, craves Leave to refer your Lordſhips to the ſaid Inſtructions, when the ſame ſhall be hereafter produced: And he ſays, that the ſaid Inſtructions were in the then State of the Dominions of Oude, according to the Opinion which the ſaid Warren Haſtings then entertained of ſuch State, proper and neceſſary to be given. And the ſaid Warren Haſtings did alſo give the ſaid Briſtow ſundry verbal Inſtructions, in which the ſaid Briſtow was, amongſt other Things, enjoined to treat the ſaid Nabob Vizier with every poſſible Delicacy, Conciliation, and Attention: But the ſaid Warren Haſtings denies that either the ſaid written or verbal Inſtructions were intended to have, or had, in fact, ſuch Meaning or Effect, or were intended to convey, or did, in fact, convey, ſuch Powers to the ſaid Briſtow, as are in the ſaid Nineteenth Article ſtated.

AND the ſaid Warren Haſtings ſays, that he was bound to give all due Support to the ſaid Briſtow, ſo long as he performed the Duty of his ſaid Office, and ſo long as it was conſiſtent with

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the Public Welfare, that he ſhould continue to hold the ſame.

AND the ſaid Warren Haſtings denies, that he did conceive any Animoſity againſt the ſaid Briſtow, on account of his original Appointment to Office, or that he did ſeem to reſent, or did, in fact, reſent, any Claim the ſaid Briſtow had to Office; or that he did contrive, in any Manner, to betray or injure, or that he did ever, in fact, betray or injure, the ſaid Briſtow. And the ſaid Warren Haſtings alſo denies, that he did contrive, for any Purpoſe whatſoever, to increaſe, or that he did, in fact, increaſe, any Diſorders in Oude; or that he ever entertained any of the corrupt or ſelf-intereſted Purpoſes by the ſaid Article imputed to him; or that he did ever endeavour to counteract any proper Endeavours of the ſaid Briſtow to procure a Reformation of the ſaid Diſorders, or that the ſaid Warren Haſtings did uphold or maintain the ſaid Hyder Beg Khan in Oppoſition to all or any of the neceſſary Plans of Reform, by himſelf the ſaid Warren Haſtings ordered nor directed.

AND the ſaid Warren Haſtings ſays, that he did order the ſaid Briſtow to endeavour to obtain an early and minute Information of the State of the Provinces of Oude eſpecially, and the reſt of the Nabob Vizier's Dominions, and to report the Reſult of his Enquiries to the Governor General and Council, and that it was the Duty of the ſaid Briſtow to inform the ſaid Governor General and Council, from Time to Time, of the Progreſs made in the Execution of the aforeſaid Inſtructions, and the Obſtructions he might meet with therein. And the

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ſaid Warren Haſtings admits alſo, that he had made it an Article of Accuſation againſt the former Reſident Middleton, that he had not regularly correſponded with the Governor General and Council; but he denies that the ſaid Briſtow did diligently and properly purſue the Objects entruſted to his Care, or that he did faithfully repreſent to him the ſeveral Matters in the ſaid Nineteenth Article in that Behalf ſtated. And the ſaid Warren Haſtings further ſays, that relying on Repreſentations made by the ſaid Briſtow, which he afterwards found to be partial and defective, he did concur with the Board of Council, in a Letter, bearing Date the Third Day of March, One thouſand Seven hundred and Eighty-three, approving certain Meaſures of the ſaid Briſtow therein referred to; but he denies that he ſecretly gave, or countenanced others to give, an Oppoſition to the ſaid Meaſures of the ſaid Briſtow; though he admits that he did publickly in Council, as Governor General, expreſs his entire Diſapprobation of many of the Meaſures of the ſaid Briſtow, when the ſame came under the Conſideration of the Board; and that he did alſo, from Time to Time, propoſe in Council ſuch other Meaſures as appeared to him neceſſary and proper for preventing the evil Conſequences of the Meaſures adopted by the ſaid Briſtow. And the ſaid Warren Haſtings ſays, that he did not carry on any Private Correſpondence with the ſaid Briſtow diſtinct from that of the Board; but the ſaid Warren Haſtings ſays, that the Public Communication and Correſpondence between the ſaid Briſtow and the ſaid Warren Haſtings, as Governor

General, and the Council, was conſtantly kept up during the whole Time that the ſaid Briſtow continued to hold the ſaid Office of Reſident; and the ſaid Warren Haſtings did repeatedly and ſtrongly preſs the Board of Council to form and ſend ſuch Inſtructions and Directions to the ſaid Briſtow as they might judge to be neceſſary and proper. And the ſaid Warren Haſtings denies that he was guilty of any Omiſſion, Neglect, or Delay in this Behalf. AND the ſaid Warren Haſtings denies that he did, for the Purpoſe of preventing the Council from giving a Support to any neceſſary Reforms in Oude, or for any other Purpoſe, maliciouſly, wilfully, perfidiouſly, or fraudulently, or againſt Law or his Duty, hold back any Letter whatſoever; but he admits that a Letter was received from the ſaid Briſtow, bearing Date the Twelfth December, One thouſand Seven hundred and Eighty-two, which Letter was immediately or ſoon after ſhewn to the ſeveral Members of Council. AND the ſaid Warren Haſtings admits, that the ſaid Briſtow, in his ſaid Letter of the Twelfth December, and in other Letters addreſſed to the ſaid Warren Haſtings, of the ſeveral Dates in the ſaid Article in that Behalf mentioned, did make ſundry Complaints reſpecting the ſaid Hyder Beg Khan; which Letters, with their Incloſures, being ſeparately addreſſed to the ſaid Warren Haſtings, were not entered on the Proceedings of the ſaid Board of Council till the Twenty-firſt April, One thouſand Seven hundred and Eighty-three: But the ſaid Warren Haſtings denies that he diſregarded the Repreſentations of the ſaid Briſtow. AND the ſaid Warren

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Haſtings further ſays, that having received Two Letters from the ſaid Nabob Vizier, containing various Complaints and Charges againſt the ſaid Briſtow, and repreſenting the Meaſures purſued by the ſaid Briſtow to be an Uſurpation on his the ſaid Nabob's Authority, but which Meaſures the ſaid Warren Haſtings denies to have been purſued under any Authority from him the ſaid Warren Haſtings, did, on the ſaid Twenty-firſt of April, One thouſand Seven hundred and Eighty-three, as he conceived it was his Duty to do, produce and ſubmit to the Conſideration of the Council the ſaid Two Letters of the ſaid Nabob Vizier, together with the aforeſaid Six Letters from the ſaid Briſtow, and Three Letters from the ſaid Hyder Beg Khan.

AND the ſaid Warren Haſtings admits that he did afterwards produce to the Council various other Letters from the ſaid Nabob, from Time to Time, as they were received, containing repeated Complaints and Charges againſt the ſaid Briſtow, who, on his Part, wrote to the ſaid Board of Council various Letters of Complaint againſt the ſaid Nabob Vizier and the ſaid Hyder Beg Khan.

AND the ſaid Warren Haſtings, craving Leave, as before, to refer to the ſaid written Inſtructions to the ſaid Briſtow hereinbefore mentioned, and alſo craving Leave to refer to a certain Letter addreſſed to the ſaid Hyder Beg Khan, by the ſaid Warren Haſtings, which the ſaid Briſtow was empowered, if he ſhould think fit, to deliver to the ſaid Hyder Beg Khan, and

from which certain Paſſages are ſtated in the ſaid Nineteenth Article, relative to the ſaid Hyder Beg Khan and the ſaid Nabob Vizier, the ſaid Warren Haſtings ſays that he did, upon mature Deliberation, and after having carefully examined all the Information he was able to procure, conſider the aforeſaid Letters from the ſaid Nabob as his own, and as written from Impreſſions on his the ſaid Nabob's own Mind; and he denies that the ſame were of ſuch Nature or Tendency as in the ſaid Nineteenth Article is ſtated, or that the Declarations of the ſaid Warren Haſtings, in the ſaid Nineteenth Article alluded to, were properly applicable to them, or that he had in this Caſe any Reaſon to conſider the ſaid Letters as written to promote the Intereſts of the ſaid Hyder, and not the Independency of the ſaid Vizier.

AND the ſaid Warren Haſtings admits that he received ſeveral Letters from the ſaid Hyder Beg Khan, containing various Complaints and Charges againſt the ſaid Briſtow, which the ſaid Warren Haſtings having ſubmitted to the Conſideration of the Board, the ſame were entered on their Proceedings; and the ſaid Warren Haſtings, for the ſeveral Contents thereof, craves Leave to refer to the ſame: And he denies that he conſidered the ſaid Letters as amounting to Proofs of all the Facts related in them, or that, in forming his Judgment upon them, he omitted to give to every Circumſtance that could properly operate againſt the Credit of any of the ſaid Letters its due Weight; but the ſaid Warren Haſtings ſubmits that it was the Duty of him the ſaid Warren Haſtings, and the Coun-

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cil, to receive the ſaid Letters, and to pay Attention thereto, as forming a neceſſary Part of the Information by which the Meaſures of the ſaid Governor General and Council were to be governed: And the ſaid Warren Haſtings denies that the ſaid Hyder Beg Khan, and the ſaid Palmer, could properly be conſidered in the Light in which they are repreſented in the ſaid Nineteenth Article, or that the ſaid Warren Haſtings did in any Manner violate or diſregard Decency or Juſtice, or that he did attempt to deprive the ſaid Reſident of his Office, in the Manner ſtated in the ſaid Article.

AND the ſaid Warren Haſtings ſays, that on laying the aforeſaid Letters before the Board, on the Twenty-firſt April, One thouſand Seven hundred and Eighty-three, he delivered a Minute, in the following Words: "The Go-
" vernor General lays before the Board the
" accompanying Letters and Papers received
" from the Nabob Vizier, and his Miniſter
" Hyder Beg Khan, containing various Com-
" plaints and Charges againſt Mr. Briſtow, for
" Acts ſaid to be done by him, in his official
" Character, ſince his laſt Appointment of
" Miniſter at the Court of Lucknow, and
" grounded on the Inſtructions given to him by
" the Board, through the Governor General.
" The Governor General deſires the Board to
" conſider the delicate Situation in which he
" ſtands, both with reſpect to the Nabob Vizier
" and Mr. Briſtow, and which they well know
" to be particularly diſtreſſing, on an Occaſion
" of this Nature. He wiſhes, for this Reaſon,
" to follow the Line which they may preſcribe,
" rather

" rather than recommend what in his Judg-
" ment may be requiſite to the ſeveral Points
" offered to their Deliberation in theſe Papers;
" and ſhall wait for their Opinion upon them,
" before he delivers his own, if the Board, in
" Relief to him, will admit of this Mode for
" the Diſcuſſion of the general Subject. The
" Governor General deſires that his Inſtruc-
" tions given to Mr. Briſtow, which were read
" to the Members of the Board, and minuted,
" in Conſultation, on the Twenty-fourth Oc-
" tober laſt, may be now entered, and prefixed
" to the accompanying Letters."

AND the ſaid Warren Haſtings further ſays, that the Council having taken no Notice of the aforeſaid Letters, he did again draw their Attention to the ſame, on the Nineteenth May, One thouſand Seven hundred and Eighty-three, by a Minute, in the following Words: " I
" beg leave to remind the Board of the Papers
" which I laid before them on the Twenty-firſt
" of April, reſpecting the Complaints preferred
" by the Nabob Vizier againſt Mr. Briſtow.
" The Facts, as ſtated in theſe Complaints, are
" certainly Uſurpations of the Authority and
" even of the Sovereignty of the Nabob Vizier.
" They are affirmed to have been juſtified by
" an Appeal to my Inſtructions. It therefore
" becomes me moſt particularly to endeavour
" to redreſs them, or to remove the Grounds
" on which they are ſaid to have been produ-
" ced; for which Effect I do, in the Firſt Place,
" diſavow having given him any Inſtructions
" intended for ſuch Purpoſes; and, in the Se-
" cond, I do, as it is my Duty, move the Board

" to tranſmit to Mr. Briſtow the Papers contain-
" ing the Charges againſt him, to require him
" to reply to them; and, in the mean Time,
" if he ſhall have appointed any Perſon or Per-
" ſons to the Charge of the Offices appertaining
" to the Adminiſtration of the Nabob Vizier,
" that he do immediately revoke the Appoint-
" ment, and confine himſelf ſolely to the Charge
" of ſuch Affairs as appertain to the Com-
" pany, in the Department ſpecially allotted to
" him, leaving to the Nabob Vizier the entire
" and uncontrolled Management of his own
" Concerns."

AND the ſaid Warren Haſtings ſays, that the Members of Council did in their ſeveral Minutes delivered on that Occaſion declare, amongſt other Things, their Opinions, that the ſaid Briſtow ſhould be called upon for his Defence, in Anſwer to the Charges made againſt him.

AND the ſaid Warren Haſtings ſays, that further Letters of Complaints having been received and laid before the Board on the following Day, the ſaid Warren Haſtings did on a Minute on the Twenty-ſecond May, One thouſand Seven hundred and Eighty-three, declare, that he meant not to condemn Mr. Briſtow, nor was his Accuſer: That it was highly proper and regular that he ſhould be furniſhed with the Complaints which had been preferred againſt him, and his Defence received, or Time allowed to make it, before any Meaſures were taken with reſpect to him perſonally, or his Office. And the ſaid Warren Haſtings did alſo declare, that he did repeat the Motion which he had al-

ready

ready made to the Board, that Mr. Briſtow ſhould be furniſhed with Copies of the Papers containing the Charges againſt him: That the Board ſhould require him to reply to them; which the Board did accordingly reſolve and order.

AND the ſaid Warren Haſtings ſays, that ſome Time having elapſed without any Anſwer received from the ſaid Briſtow, the ſaid Warren Haſtings did, on the Twenty-fourth July, One thouſand Seven hundred and Eighty-three, deliver the following Minute: " I complain to " the Board of the Diſreſpect which has been " ſhewn to it, and Diſobedience to its Com- " mands, by Mr. Briſtow. Six complete Weeks " have elapſed ſince he acknowledged the " Receipt of the Orders of the Twenty-ninth " May, which required him to reply to the " Charges preferred againſt him by the Nabob " of Oude. To theſe he has not yet replied, " but either remains in the Poſſeſſion of an " uſurped Deſpotiſm, ſcandalous to this Go- " vernment permitting it, or treats its Autho- " rity with an inſolent and preſuming Indiffer- " ence, by a Silence equally culpable, whether " he is innocent or guilty of the Facts of which " he has been accuſed, or of the Criminality " imputed to them. Perhaps Mr. Briſtow may " wiſh to avail himſelf of the Principle which " forbids that any Man ſhall be condemned " unheard, to withhold his Defence until he " ſhall either have exceeded the Period which " has been ſo repeatedly portended for the Cloſe " of the preſent Government, or until he ſhall " have concerted other Means for eluding the

" Effect

" Effect of an Inquiry; in the mean Time the
" Juſtice of the Board is liable to be arraigned
" by ſuffering ſuch Delays. It is now Four
" Months ſince the Nabob Vizier tranſmitted
" his Grievances to me, and more than Three
" ſince they were formally made known to
" the Board. On theſe Grounds I hope the
" Board will agree with me in the Reſolution
" of bringing this Buſineſs to a Deciſion,
" without ſuffering it to depend on the longer
" Pleaſure of Mr. Briſtow; and that they will
" allow me to bring it before their Notice for
" that Purpoſe on Monday next."

AND the ſaid Warren Haſtings did on the Twenty-eighth of the ſame Month of July deliver the following Minute: " Conformably
" to the Declaration made and recorded by me
" in Conſultation of the Twenty-fourth inſtant,
" I now move, That Mr. Briſtow, for Diſreſpect
" of the Board and Diſobedience of the Letter
" written to him by the Board on the Twenty-
" ninth of May, and acknowledged by him on
" the Thirteenth June, in having to this Time
" avoided or neglected to reply to the ſame,
" be removed and recalled from his Station
" and Office at Lucknow." But the ſaid Warren Haſtings ſays, that his ſaid Propoſal was negatived by the Board.

AND the ſaid Warren Haſtings, as to the Particulars of the ſeveral other Minutes delivered in Conſultation on the aforeſaid Subject, craves Leave to refer your Lordſhips to the ſame, as entered on the Conſultations of the Governor General and Council of Fort William.

And the ſaid Warren Haſtings ſays, that conceiving the ſaid Briſtow to have perverted the Senſe of the aforeſaid Inſtructions in every Application of them, and to have totally neglected to obey their obvious Meaning, he did on the Twenty-eighth October, One thouſand Seven hundred and Eighty-three, write to the ſaid Briſtow, declaring that ſuch were no longer the Inſtructions of him the ſaid Warren Haſtings, and that they ſhould not be vouched as any Authority from him, and required the ſaid Briſtow to ceaſe to act under them as ſuch. But the ſaid Warren Haſtings ſays, that previous to the Writing of ſuch Letter he had repeatedly called upon the Board of Council to furniſh the ſaid Briſtow with other Inſtructions adapted to the Opinion which they entertained of the Conduct proper to be purſued by the ſaid Briſtow. And the ſaid Warren Haſtings denies that he did leave the ſaid Briſtow entangled in any Plots or Conſpiracies of any Agents or Inſtruments of him the ſaid Warren Haſtings; or that to his Knowledge or Belief any Plots or Conſpiracies of any Kind were formed by any Agents or Inſtruments of him the ſaid Warren Haſtings.

AND the ſaid Warren Haſtings denying that, in any of the Proceedings reſpecting the ſaid Briſtow, he was actuated in any Manner by the Views or Motives in the ſaid Nineteenth Article ſtated, and humbly craving Leave to refer your Lordſhips for his Anſwer as to ſo much of the ſaid Nineteenth Article as relates to the Delegation or Commiſſion given to the ſaid Warren Haſtings, to act for the whole Board in Oude in the Month of January, One thouſand Seven hundred and

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Eighty-four, to his Anſwer on that Subject in the next Article of Impeachment, herein after ſet forth, the ſaid Warren Haſtings denies, that he cauſed any Accuſations to be renewed againſt the ſaid Briſtow, either on the Part of the ſaid Nabob Vizier, or the ſaid Hyder Beg, or any other Perſon or Perſons, or that he conducted himſelf in an unjuſt, violent, or intemperate Manner, or that he uſed any Partiality with regard to the Accuſers of the ſaid Briſtow, or acted under any Prejudice againſt the accuſed, or that he was guilty of any Violation of Duty in all or any of the ſaid Proceedings reſpecting the ſaid Briſtow, or that he cauſed or inſtigated the ſaid Vizier to make any Lamentations of his Situation, or to call for the Preſence of him the ſaid Warren Haſtings in Oude; but he ſays, that the ſaid Nabob Vizier did, of his own Accord, and without any Suggeſtion or Application whatſoever from the ſaid Warren Haſtings, directly or indirectly made, write ſundry Letters, deſcribing his Uneaſineſs and Diſtreſs, and ſoliciting the Preſence of the ſaid Warren Haſtings in Oude, as the Means of quieting his Mind and re-eſtabliſhing his Affairs. And the ſaid Warren Haſtings, denying that he did cauſe or foment any Diſcontents or Diſorders, or that he did, by any ſuch ſuppoſed Acts or Violences as are in the ſaid Nineteenth Article ſtated, or by any other unwarrantable or improper Acts whatſoever, obtain the Removal of the ſaid Briſtow from his ſaid Office of Reſident, or the Delegation of himſelf the ſaid Warren Haſtings to the Court of Oude, or his Appointment to any Office whatſoever;

and the ſaid Warren Haſtings ſays, that the Governor General and Council did, in the Month of December, One thouſand Seven hundred and Eighty-three, reſolve to remove the ſaid Briſtow from his ſaid Office, upon a Conviction of the Propriety and Neceſſity of that Meaſure, as conſidered with a view to the Welfare and Intereſts of the Eaſt India Company, and the Rights of the ſaid Nabob Vizier: And the ſaid Warren Haſtings craves Leave to refer to the Proceedings of the ſaid Board for an Account of the ſaid Meaſure, and their Reaſons for the ſame, together with the Circumſtances which preceded and attended the Execution thereof.

AND the ſaid Warren Haſtings denies, that he did ever countenance an Oppoſition to the Eſtabliſhment of Courts of Juſtice in Oude, or that he is guilty of all or any of the Acts or Neglects of Duty, or of any of the ſuppoſed Offences or Inſtances of Miſconduct, in the ſaid Nineteenth Article ſet forth, or that any Meaſures by him purſued did produce any ſuch Effects as are in the ſaid Article ſtated, or that he was the Cauſe of any Want of Security to the Property or Lives of the Inhabitants, or of any Evils, Miſchiefs, Diſorders, Tumults, Robberies, or Murders, as in the ſaid Nineteenth Article is charged againſt him.

TWEN-

TWENTIETH ARTICLE.

IN Anſwer to the Twentieth Article, the ſaid Warren Haſtings ſays, that the Nabob Vizier being, in the Year One Thouſand Seven hundred and Eighty-three, indebted in a large Sum of Money to the Eaſt India Company, and having offered to find Security for the Payment thereof, as well as for the Demand of the current Year, on condition that John Briſtow Eſquire, then Reſident at his Court, and William Cowper Eſquire, Aſſiſtant to the ſaid Briſtow, ſhould be recalled, and the Reſidency at his Court entirely withdrawn, the ſaid Warren Haſtings did, in the Month of July, One thouſand Seven hundred and Eighty-three, propoſe that the ſaid Offer ſhould be accepted; but the ſaid Propoſal was, by the Majority of the Board of Council, rejected. And the ſaid Warren Haſtings further ſays, that the ſaid Majority did afterwards, by a joint Minute, dated Thirty-firſt December, One thouſand Seven hundred and Eighty-three, propoſe to accept the ſaid Offer, on condition that the ſaid Warren Haſtings would hold himſelf reſponſible to the ſaid Company and to the Public for the faithful Performance of certain Engagements on the Part of the ſaid Vizier and his Miniſters, to wit, That the Balance due to the ſaid Company ſhould be paid into their Treaſury by Bills on creditable Bankers, payable Half in One Month and the remaining Half in Two Months from

the Date of the Surrender by the ſaid Briſtow to the ſaid Vizier of his ſaid Office; which Propoſal the ſaid Warren Haſtings did decline to accept, conceiving that it was thereby meant, that he ſhould be perſonally reſponſible for any Failure that might happen of the ſaid Payments within the Time aforeſaid. But the ſaid Majority having, in a ſubſequent Minute, dated Thirty-firſt December, One thouſand Seven hundred and Eighty-three, explained the Reſponſibility propoſed in the former Minute to mean ſuch Obligations as conſtituted Reſponſibility in a decided Recommendation of any Meaſure contrary to the general Opinion of the Board; the ſaid Warren Haſtings did agree to become ſpecially reſponſible for the Propriety of accepting the Offer made by the ſaid Vizier and his Miniſter for the Payment of the Balance due to the Company, and for the current Demands of the Year, under the expreſs Condition that the ſaid Briſtow, and William Cowper Eſquire, Aſſiſtant to the ſaid Briſtow, ſhould be recalled. And the ſaid Warren Haſtings ſays, that he did, on or about the Twenty-firſt January, One thouſand Seven hundred and Eighty-four, receive from the Board of Council, certain Credentials, whereby he was inveſted with the full Power and Authority of the ſaid Board (ſo far as the ſame could be legally delegated) for the Accompliſhment of certain Objects in the ſaid Credentials particularly ſpecified. And the ſaid Warren Haſtings admits, that he did proceed to Lucknow and return to Calcutta on the Days in the ſaid Article mentioned. And the ſaid Warren Haſtings denies, that the ſaid Commiſſion was unneceſſary,

ceſſary, or that the Expences attending the ſaid Delegation did amount to the Sum of Money in the ſaid Article mentioned; but he admits, that he did take with him ſeveral Engliſh Gentlemen; he denies however, that the Number of them was unneceſſary, or that any Burthen was thereby brought upon the Nabob; or that the taking ſuch Gentlemen with him was a Meaſure repugnant to the Senſe of the Information which is ſtated in the ſaid Article to have been ſent by him the ſaid Warren Haſtings to Edward Wheler Eſquire. And the ſaid Warren Haſting ſays, that, being at Lucknow as aforeſaid, he did, in conſequence of the Reſolution of the Board herein before mentioned, acquaint the ſaid Nabob Vizier, that his aforeſaid Propoſal had been accepted and agreed to by the ſaid Board. And the ſaid Warren Haſtings ſays, that in the Month of January, One thouſand Seven hundred and Eighty-five, he did, in a Minute of that Date, recommend to the ſaid Board to engage with the ſaid Vizier, that while the ſaid Vizier continued to fulfil the Engagement into which he had entered, no Perſon ſhould be deputed to reſide in his Court but at his own ſpontaneous Inclination, nor ſhould any Authority be exerciſed within the Limits of his Dominions by the Appointment or Permiſſion of the Board, except ſuch as ſhould be required by the Nabob himſelf from the Military Officers ſtationed for his Defence and the Protection of his Country, until the Concluſion of the then current Year, or until the Orders of the Court of Directors ſhould be r ceived in conſequence of the References which had been made to them, if ſuch Orders ſhould either

either enjoin or authorize a different Conduct. AND the ſaid Warren Haſtings humbly ſubmits, that the Meaſures by him purſued with the Vizier were well authorized by the Powers with which he was then inveſted. And he further ſays, that a Clauſe was, at the Inſtance of the ſeveral Aumils, or Perſons taking Farms, inſerted in their Leaſes from the ſaid Vizier, that the ſaid Leaſes ſhould be in full Force for the complete Term thereof, provided no foreign Authority was exerciſed over them; or in other Words, that their Engagements ſhould ceaſe whenever they ſhould be interrupted in their Functions by the Interference of a Britiſh Reſident; which Clauſe the ſaid Warren Haſtings admits was inſerted with his Approbation; but he denies that the ſaid Clauſe was of ſuch Nature, or productive of ſuch Effects as are in the ſaid Article ſtated, or that the ſame was in any Reſpect unwarrantable or illegal. And the ſaid Warren Haſtings avers, that the Arrangement by him made and recommended, in reſpect to the Vizier, as herein before mentioned, was, in the then Situation of the Company's Affairs, fit and expedient. And the ſaid Warren Haſtings denies, that he did ever aſſign any Reaſons for the ſaid Meaſures diſhonourable to the Britiſh Name or Character; or that any Imputations ever thrown upon the Britiſh Name, Government, or Influence, were in any Reſpect owing or imputable to any Miſconduct of the ſaid Warren Haſtings. And he further denies, that he did ever endeavour to deſtroy the Dependance on Britiſh Faith, or that he did ever attempt to create a Reliance on his own perſonal Faith, in Excluſion or to the

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Prejudice of a due Reliance on the Faith of the Britiſh Nation. And the ſaid Warren Haſtings further ſays, that Major Palmer, in the ſaid Article mentioned, did continue at Lucknow now as Agent to the ſaid Warren Haſtings, on the Appointment of him the ſaid Warren Haſtings, at the ſpecial Inſtance and Requeſt of the Nabob, but not at any ſuch Yearly Expence to the ſaid Vizier, known to the ſaid Warren Haſtings, as is ſtated in the ſaid Article.

AND the ſaid Warren Haſtings denies, that he did, on his Return to Calcutta, ſtay in the City of Benâres for the Purpoſe in the ſaid Article mentioned: But he admits he did remain ſome Time at Benâres; and he avers, that his Continuance there during ſuch Time, was for proper and juſtifiable Purpoſes. And the ſaid Warren Haſtings likewiſe denies, that he did, after his Return to Calcutta as aforeſaid, bring forward Charges againſt the ſaid Briſtow, as in the ſaid Article is ſtated; but he ſays that he did, whilſt at Lucknow, tranſmit to the Board certain Objections made by the ſaid Vizier to the Accounts of the ſaid Briſtow, in order that the ſaid Briſtow might give an Anſwer to the ſame; and an Anſwer was afterwards accordingly delivered in to the Board by the ſaid Briſtow, which by the ſaid Board was taken into Conſideration after the Return of the ſaid Warren Haſtings to Calcutta. And the ſaid Warren Haſtings denies, that he had ſettled any Penſioners on the Revenues of the ſaid Nabob, or that he did corruptly leave, under the aforeſaid Major Palmer, any Eſtabliſhment of Engliſh Penſioners, authorized by him the ſaid

Warren Haſtings, to be paid out of the Revenues of the ſaid Nabob. And the ſaid Warren Haſtings alſo denies, that he did in any Manner preſerve to himſelf in the Province of the ſaid Nabob any corrupt or improper Influence whatever.

AND the ſaid Warren Haſtings denies, that he did give up or abandon the ſaid Nabob and his Territories, or the Company's Intereſts therein, to the entire Dominion of Hyder Beg Khan, as in the ſaid Article is alledged. And with reſpect to ſuch Part of the ſaid Article as ſtates "that the ſaid Warren "Haſtings, by his Agreement, did leave ſun-"dry of the great Farms of the Revenue in "the Province of Oude under Almaſs Ali "Khan," the ſaid Warren Haſtings humbly craves Leave to refer to his Anſwer in this Behalf herein before made.

AND the ſaid Warren Haſtings ſays, that he did not make any Stipulation with the Vizier reſpecting any of the Perſons in the ſaid Article mentioned; but he denies that he was guilty of any Neglect or Breach of Duty in that Reſpect, or that the ſaid Perſons were thereby expoſed to the Reſentment of the ſaid Hyder Beg Khan, or that the ſaid Warren Haſtings knew any Reſentment was entertained by the ſaid Hyder Beg Khan againſt thoſe Perſons.

AND the ſaid Warren Haſtings ſays, that the Bankers, whoſe Security was taken for the Payment of the ſaid Debt from the Vizier to the Company, were, at the Time of giving

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ſuch Security, Perſons of unimpeached Credit and Reſponſibility, and the Bills taken from the ſaid Bankers for the ſaid Debt were all duly diſcharged, except One, which the ſaid Warren Haſtings has been informed was not regularly paid when it became due; but which, as he has likewiſe been informed, has ſince been diſcharged. And the ſaid Warren Haſtings denies that the Payment of the ſaid Debt was pretended or deluſive; and he further denies that he did take away any Security from Gopal Doſs in the ſaid Article mentioned: But the ſaid Warren Haſtings ſays, that a Bond having been executed by the ſaid John Briſtow, on the Part of the ſaid Company, to the ſaid Gopal Doſs, dated the Eighth of June, One thouſand Seven hundred and Eighty-three, for a certain Sum of Money advanced by the ſaid Gopal Doſs for the Uſe of the ſaid Company, to be repaid from whatever might remain after providing for the Company's neceſſary Diſburſements, from the Receipts of certain Aſſignments ſpecified in the ſaid Bond; and the ſaid Sum, by reaſon of the urgent Occaſions of the Government not having been duly diſcharged, according to the Condition of the ſaid Bond, certain other Arrangements were made by the Board of Council with the ſaid Gopal Doſs for the Liquidation of the ſaid Demand, which was afterwards fully ſatisfied. And the ſaid Warren Haſtings denies that the Credit of the ſaid Company was, in any Reſpect, affected by any of the Matters aforeſaid.

AND the ſaid Warren Haſtings denies, that by all, or any, of the Meaſures aforeſaid, he did

dangerouſly affect the Payments of ſucceeding Years, or that the actual Amount of the Debt due from the ſaid Nabob to the ſaid Company was, in any Manner, imputable to any Neglect or Miſconduct of the ſaid Warren Haſtings; or that he was, or is, in reſpect of any of the Premiſes in the ſaid Article mentioned, guilty of any Crime or Miſdemeanour whatſoever.

AND as to all other Matters and Things in the ſaid Articles contained, and not hereinbefore particularly anſwered unto, the ſaid Warren Haſtings ſays, he is not guilty of them, or any of them, in Manner and Form as the ſame are charged upon him in and by the ſaid Articles. And the ſaid Warren Haſtings humbly requeſts of your Lordſhips, that in this his Anſwer to the ſeveral Matters in the ſaid Articles contained, your Lordſhips will be pleaſed to underſtand him to have followed the Order and Succeſſion in which the ſame are in the ſaid Articles arranged and ſet forth; and in referring to ſuch Articles, generally to have referred to ſuch Parts and Paſſages thereof as correſpond with and relate to the Facts, Circumſtances, Declarations, and Expreſſions then particularly conſidered and adverted to, and to which his Anſwer is in ſuch Inſtances immediately applied; and alſo that in all Caſes where the Narration or Statement by him in his ſaid Anſwer given touching any Facts, Circumſtances, Declarations,

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or Expreſſions, materially varies from or contradicts the Narration or Statement of like Facts, Circumſtances, Declarations, or Expreſſions contained in the ſaid Articles, that he may be underſtood to deny ſuch latter Narration or Statement to be true to the Extent in which ſuch material Variance and Contradiction exiſts. And the ſaid Warren Haſtings humbly hopes, that your Lordſhips will excuſe any Imperfections or Defects with regard to Expreſſion or Form in his ſaid Anſwer; and will permit him, with all Humility, to beſpeak your Lordſhips Candour and Indulgence on account of the peculiar Nature of the ſeveral Articles of Impeachment; which he apprehends, both as to the Manner in which the ſame are framed, and the Matter which is the Subject of them, will be found materially different from any which have ever yet been exhibited at your Lordſhips Bar. For, with reſpect to the ſaid Charges, the ſaid Warren Haſtings begs leave to obſerve that they conſiſt of a minute and elaborate Scrutiny into his whole official Conduct during a Government of Thirteen Years, comprehending an infinite Variety of Events, and involving the Management of a great commercial and political Syſtem, in a Service of uniform Difficulty and Exigence, and at many Times of extreme national Peril: Nor are the ſaid Charges confined to Meaſures, but even his Declarations and Opinions delivered in the courſe of Debate and Conſultation, according to ſuch Information as he poſſeſſed at the Moment, and often under Circumſtances which would not afford Time for adequate Deliberation, are made Subjects of Accuſation againſt him. The ſaid Warren Haſtings therefore

therefore humbly repreſents, that, under ſuch Circumſtances, he muſt neceſſarily ſtand in much Need of your Lordſhips favourable Conſtruction of his Conduct, in order that the many Omiſſions and Imperfections, which, in the Review of the paſt Meaſures of his long and arduous Adminiſtration, your Lordſhips ſuperior Wiſdom ſhall diſcover, may be imputed to Error and Infirmity, and not to any corrupt or criminal Intention. And the ſaid Warren Haſtings feels it the more neceſſary to ſolicit your Lordſhips Indulgence, as he was ſeparated at a very early Age from his native Country, from every Advantage of that Inſtruction which might have better qualified him for the high Offices and difficult Situations which it has been his Lot to fill, and left to form his Rule of Conduct in a great Degree on his own Practice, and by the Light of his own Underſtanding.

AND the ſaid Warren Haſtings begs Leave further to repreſent, that many of the Meaſures which in the ſaid Articles are ſtated as Crimes or Miſdemeanours by him individually committed, were, in fact, Meaſures of the Council at large, and for which, therefore, he humbly conceives, he ought not to be ſeparately and diſtinctly charged; and, with reſpect to many others of the ſaid Meaſures, he truſts he ſhall be able to ſatisfy your Lordſhips that they were rendered expedient and neceſſary by former Acts and Reſolutions of the Board, adopted, in ſome Inſtances, not only without his Concurrence, but againſt his Opinion and Vote; and he truſts that your Lordſhips will permit him

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to obſerve, that many of the Plans and Arrangements which are in the ſaid Articles drawn into Matter of Criminal Charge againſt him, were at firſt propoſed by him with a Reference to the known Opinions and Sentiments of thoſe with whom he was appointed to act, and were afterwards varied and modified, in the Courſe of Diſcuſſion at the Board, ſo as to be in the Reſult, and at the Period of their Execution, eſſentially different from the State in which they were originally offered; and that many Meaſures which are alſo made the Subject of Charge againſt him have been fully approved by his Succeſſors in Office, and continue to form a Part of the preſent Syſtem of Government in India; and he doubts not but your Lordſhips will conſider the Length of Time which has elapſed ſince ſeveral of the ſaid Acts are charged to have been done, and the Diſtance of the Countries in which they are ſuppoſed to have taken place, and that on theſe Accounts he muſt labour under much Difficulty in giving a full and particular Explanation of the ſame, of the Cauſes by which they were produced, and the Circumſtances with which they were attended. And further, in as much as many of ſuch Tranſactions relate to Negociations with the Miniſters of Foreign States, who cannot be produced as Witneſſes in his Defence, however material their Teſtimony might be, and require the Evidence of certain other Subjects of ſuch States, who are likewiſe not amenable to the Proceſs of this High Court, your Lordſhips will therefore he humbly truſts, be diſpoſed to receive with due Indulgence, the Defence he may hereafter make under ſuch Diſadvantages; and, as many

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of the ſaid Articles of Impeachment are founded upon his Opinions and Declarations, as extracted from divers Letters and Entries upon the Public Conſultations, written at various Times, and under Circumſtances materially different, connected alſo with, and dependant upon, the former Declarations and Opinions of himſelf and others, not ſtated in the ſaid Articles, he further preſumes to hope that your Lordſhips will not ſuffer him to be prejudiced by any Opinions or Declarations thus detached and brought forward, but will at the ſame Time examine the Series of Letters and Conſultations relating thereto, and will compare together ſuch Parts and Paſſages of them as may give Light to each, and to the Whole. And he further humbly ſubmits, that as in political Negociations and Treaties with Foreign Powers, when the Intereſts of ſeveral Parties diſtinct from and oppoſite to each other are to be adjuſted, great Addreſs is neceſſary in the Management thereof; and ſuch Terms are often propoſed, and ſuch Arguments uſed, as carry an Appearance different from the real Intention of thoſe who treat; in which Reſpect it may be difficult to reconcile the various Means uſed for the Attainment of the End propoſed: The ſaid Warren Haſtings humbly requeſts that, with regard to his Conduct in all ſuch Reſpects, he may in like Manner receive your Lordſhips Indulgence. And he further ventures to obſerve to your Lordſhips, that in the Conduct of the important Concerns intruſted to his Charge, he has often been obliged to act upon general Appearances only, and according to ſuch Information as he could collect and ſuch Judg-

ment as he was enabled to form at the Moment, particularly in Cafes in which immediate Evils feemed to threaten the Government under his Charge, and which it became his Duty by inftant Exertion to prevent.

AND further, the faid Warren Haftings begs leave to repreſent, that the general Nature and Quality of many Meaſures, now the Subject of Charge againſt him, conſiderably depend upon the Manners, Cuſtoms, Principles, and Laws, peculiar to the Countries in which ſuch Meaſures were adopted; and cannot, therefore, as he conceives, properly be judged of by the ſame Rules and Principles as would determine the Quality of like Actions in the Country where he is now called to anſwer for the ſame.

AND, in Addition to the many peculiar Circumſtances which characterize this Caſe, he is perſuaded it will not eſcape the Diſcernment of your Lordſhips, that he ſtands charged with a Reſponſibility, equally new in its Kind, and unlimited in its Extent: That he is required to anſwer not only for Acts of ſuppoſed Miſconduct in himſelf and others, Subjects of the Crown of Great Britain, or Servants of the Eaſt India Company; but is alſo queſtioned for various Acts of real or ſuppoſed Error or Malverſation, committed by the Miniſters or Servants of Sovereign Princes, connected, by Alliance, with the Eaſt India Company; and, in ſome Inſtances, for the Vices and Neglect of Duty in thoſe Princes themſelves, and that too, not in Matters of a public Nature only, but in the private Relations of civil Life: That he is,

upon other Occaſions, charged as reſponſible for the caſual Effects of Military Tumult, for a ſuppoſed Deciine of Population, Arts, and Agriculture; and, in general, for every Symptom of internal Diſorder and Decay, ſuggeſted to exiſt in Countries remote from the Seat of Britiſh Government, and exempt from its immediate Authority and Controul.

AND the ſaid Warren Haſtings further hopes, that your Lordſhips will not deem him to have erred in ſuppoſing, from his ſeveral Re-appointments by the Legiſlature, at the Times and in the Manner ſtated in the Introduction to this his Anſwer, that he had reaſonable Cauſe to conclude, that the general Principles on which he acted, and the Meaſures he had purſued previous thereto, as far as they were reſpectively known, did thereby receive a legiſlative Sanction.

AND further, the ſaid Warren Haſtings, with all Humility, obſerves, that notwithſtanding the Length of Time his Conduct has been the Subject of Parliamentary Inveſtigation, and during which he has been charged with Acts of the moſt flagrant and notorious Corruption, Rapacity, Extortion, Injuſtice, and Breach of Faith, by which he has been alledged to have ſacrificed the Intereſts of the Eaſt India Company, diſhonoured the Britiſh Name and Character, and reduced Provinces to Deſolation; yet, of the Multitudes who muſt have been Sufferers by ſuch enormous Wrongs, if ſuch had exiſted, not One Individual has yet appeared to complain againſt him; but, on the contrary,

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the native Inhabitants of the Provinces immediately ſubject to his Authority, do generally, as it is well known, and as he truſts he ſhall be able to prove, hold the Memory of his Government in Reſpect. The Sovereigns and Princes of India, who were connected by Treaty or Intercourſe with the Eaſt India Company during his Government, have not only preferred no Complaints againſt him, but ſeveral of them have, ſince his Departure from India, correſponded, and do ſtill correſpond, with him, by Letters, profeſſing Sentiments of Friendſhip and Eſteem for his Perſon and Character. AND he begs leave further to repreſent, that Letters from ſome of the ſaid Princes, containing their Acknowledgments of his good Faith, Honour, and Integrity, have been tranſmitted to his Succeſſor in Office, and to the Court of Directors, and appear upon the Public Proceedings of the Eaſt India Company. And the ſaid Warren Haſtings further ſays, that the Britiſh Inhabitants of Calcutta, and the Officers of the Army who were the Witneſſes of his Conduct, have publickly teſtified their Sentiments of the ſame in Two ſeparate Addreſſes preſented to him after his Reſignation of the Service; and one of them, many Months after his Return to England, expreſſing the Acknowledgments and Thanks of the Perſons whoſe Names are ſubſcribed to the ſame, for the upright, equal, and beneficent Exerciſe of the Authority with which he had been, during a long Courſe of Years, inveſted over them, for the vigilant Attention and active Support given by him in the moſt difficult and perilous Times, to the great and extenſive National Intereſts entruſted to his

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Charge, and for having been inſtrumental to the Splendour and Glory of the Britiſh Arms by the Services on which they were employed under his Direction.

AND, LASTLY, the ſaid Warren Haſtings ſays, that the Eaſt India Company, and the Court of Directors of the ſaid Company, whoſe immediate Concern it was to have called him to a Public Account, and to whom the ordinary Courts of Juſtice were open for legal Redreſs, if it were true, as is alledged in the ſaid Charge, that the Intereſts of the ſaid Company have ſuffered great and eſſential Injury by the Neglect of Duty, Diſobedience of Orders, Breach of Public Faith, and Corruption, of him the ſaid Warren Haſtings; ſo far from calling him to an Account for the ſaid ſuppoſed Crimes, have afforded him their public Approbation of his Conduct; and the ſaid Court of Directors did on his Return, by an unanimous Vote, beſtow on him their Thanks for his long, faithful, and able Services. And the ſaid Warren Haſtings humbly hopes, that he will not be deemed to have treſpaſſed on your Lordſhips Indulgence, in having laid before your Lordſhips theſe Teſtimonies of Approbation, being, as he apprehends, Matter of fair and honourable Mention, at a Time when the general Tenor of his public Conduct is impeached, and Motives of Action are aſcribed to him utterly repugnant to his Diſpoſition and Character: And with all the Aſſurance of an innocent Man he begs leave ſolemnly to declare, that in the high Stations he has been called upon to fill, he has ever, according to his beſt Skill and Judgment,

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acted with a ſincere and ardent Zeal for the public Service, uninfluenced by any View to his own private Advantage; and thus with all due Humility, but at the ſame Time with that Confidence which a Senſe of his own Integrity, and of the high Honour and Juſtice of this auguſt Tribunal, muſt inſpire, he ſubmits himſelf to your Lordſhips Judgment, firmly truſting that he ſhall thereby receive that full and honourable Acquittal, which, next to the Approbation of his own Conſcience, it muſt be his higheſt Ambition to obtain.

WARREN HASTINGS.

21
29

BSB Bayerische StaatsBibliothek
MDZ Münchener DigitalisierungsZentrum Digitale Bibliothek

Hastings, Warren,

The answer of Warren Hastings to the Articles exhibited by the Knights, Citzens, and Burgesses, in Parliament assembled, in the name of themselves, and of all the Commons of Great Britain, in maintenance of their impeachment against him for High Crimes and Misdemeanors, supposed to have been by him committed Delivered at the bar of the house of Peers, on Nov. 2

London 1788

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